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THE

PUBLIC GENERAL ACTS

PASSED IN THE NINTH YEAR

OF THE REIGN OF HIS MAJESTY

KING EDWARD THE SEVENTH;

BEING THE

FOURTH SESSION OF THE TWENTY-EIGHTH PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND:

WITH AN INDEX, AND TABLES SHOWING THE EFFECT OF THE YEAR'S LEGISLATION ON THE PUBLIC GENERAL ACTS; ALSO THE TITLES OF THE LOCAL AND PRIVATE ACTS ARRANGED CONSECUTIVELY AND IN CLASSES.

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TABLE I.

A

TABLE

OF

The TITLES of the PUBLIC GENERAL ACTS passed in the FOURTH Session of the TWENTY-EIGHTH Parliament of the United Kingdom of GREAT BRITAIN and IRELAND.

9 EDWARD 7.—A.D. 1909.

1. AN Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and nine. (*Consolidated Fund* (*No.* 1).)

2. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and eight, one thousand nine hundred and nine, and one thousand nine hundred and ten. (*Consolidated Fund* (*No.* 2).)

3. An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army. (*Army* (*Annual*).)

4. An Act to amend the Indian Councils Acts, 1861 and 1892, and the Government of India Act, 1833. (*Indian Councils.*)

5. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and ten, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

6. An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. (*Public Works Loans.*)

7. An Act to provide for the establishment of Labour Exchanges and for other purposes incidental thereto (*Labour Exchanges.*)

8. An Act to prohibit the landing and selling in the United Kingdom of fish caught in prohibited areas of the sea adjoining Scotland or Ireland. (*Trawling in Prohibited Areas Prevention.*)

9. An Act to constitute the Union of South Africa. (*South Africa.*)

10. An Act to amend the Superannuation Acts, 1834 to 1892. (*Superannuation.*)

11. An Act to amend the Judicature Acts, 1873 to 1894, with respect to the Persons in whom the power of making Rules of Court under those Acts is vested. (*Judicature (Rule Committee).*)

12. An Act to prohibit Gambling on Loss by Maritime Perils (*Marine Insurance (Gambling Policies).*)

13. An Act to provide for the recovery by Local Education Authorities of Costs for Medical Treatment of Children attending Public Elementary Schools in England and Wales. (*Local Education Authorities (Medical Treatment).*)

14. An Act to enable an Assistant Postmaster-General to sit in the House of Commons. (*Assistant Postmaster-General.*)

15. An Act to enable a second Secretary to be appointed for the Board of Agriculture and Fisheries. (*Board of Agriculture and Fisheries.*)

16. An Act to authorise the making of such modifications in the Workmen's Compensation Act, 1906, in its application to French Citizens, as may be necessary to give effect to a Convention between His Majesty and the President of the French Republic. (*Workmen's Compensation (Anglo-French Convention).*)

17. An Act to enable the London County Council to establish and maintain an Ambulance Service in London. (*Metropolitan Ambulances.*)

18. An Act to make better provision respecting Naval Establishments in British Possessions. (*Naval Establishments in British Possessions.*)

19. An Act to amend the Colonial Naval Defence Act, 1865. (*Colonial Naval Defence.*)

20. An Act to give further powers to the Railway and Canal Commission to determine differences with respect to Telegraphs (including Telephones). (*Telegraph (Arbitration).*)

21. An Act to protect the interests of Handloom Weavers and for other purposes in connection therewith. (*Irish Handloom Weavers.*)

22. An Act to provide for the establishment of Trade Boards for certain Trades. (*Trade Boards.*)

23. An Act to remove the Statutory Limitation on the Salary of the President of the Board of Trade. (*Board of Trade.*)

24. An Act to enable the Department of Agriculture and Technical Instruction for Ireland to undertake Prosecutions in certain cases under the Merchandise Marks Act, 1887. (*Merchandise Marks (Ireland).*)

25. An Act to amend the Fisheries (Ireland) Acts, 1842 to 1901. (*Fisheries (Ireland).*)

26. An Act to provide for the Payment of Fees to Veterinary Surgeons and Practitioners for Notification of Diseases of Animals. (*Diseases of Animals.*)

27. An Act to provide for the appointment of women as members of visiting committees for prisons in Scotland. (*Prisons (Scotland).*)

28. An Act to remove doubts as to the manner in which accused persons may be detained in custody, pending trial, under the provisions of the Summary Jurisdiction (Scotland) Act, 1908. (*Summary Jurisdiction (Scotland) Act, 1908, Amendment.*)

29. An Act to make provision for the better administration by Central and Local Authorities in England and Wales of the enactments relating to Education. (*Education (Administrative Provisions).*)

30. An Act to make better provision for securing safety at Cinematograph and other Exhibitions. (*Cinematograph.*)

31. An Act to prevent the spread of Noxious Weeds in Ireland, and to make provision for the testing of Agricultural Seeds. (*Weeds and Agricultural Seeds (Ireland).*)

32. An Act to empower Local Authorities in Ireland to strike a Rate for advertising Health Resorts and Watering Places. (*Health Resorts and Watering Places (Ireland).*)

33. An Act to extend the Wild Animals in Captivity Protection Act, 1900, to Scotland. (*Wild Animals in Captivity Protection (Scotland).*)

34. An Act to amend the Acts relating to Electric Lighting. (*Electric Lighting.*)

35. An Act to facilitate the proceedings of any Commissioner who may be appointed to hold an inquiry respecting the conduct of the Police of the City of Liverpool in dealing with disturbances of the peace in that city during the twelve months preceding the passing of this Act. (*Police (Liverpool Inquiry).*)

36. An Act to make provision with respect to the application of the Local Registration of Title (Ireland) Act, 1891, to the County of Cork. (*Local Registration of Title (Ireland).*)

37. An Act to enable Orders in Council to be made for the purpose of giving effect to any Convention for facilitating the International Circulation of Motor Cars. (*Motor Car (International Circulation).*)

38. An Act to remove certain limitations on the borrowing by a County Council by way of mortgage under the Local Government Act, 1888. (*County Councils Mortgages.*)

39. An Act to amend the Law as to Oaths. (*Oaths.*)

40. An Act to amend the Metropolitan Police Acts, 1829 to 1899, and to make better provision for the widows and children of constables who lose their lives in the execution of their duty. (*Police.*)

41. An Act to enable the punishment of Detention to be substituted for the punishment of Imprisonment for Offences against Naval Discipline under the Naval Discipline Act. (*Naval Discipline.*)

42. An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland, and for other purposes relating thereto. (*Irish Land.*)

43. An Act to amend the Law relating to Customs and Inland Revenue, and for other purposes connected with Finance. (*Revenue.*)

44. An Act to amend the Law relating to the Housing of the Working Classes, to provide for the making of Town Planning schemes, and to make further provision with respect to the appointment and duties of County Medical Officers of Health, and to provide for the establishment of Public Health and Housing Committees of County Councils. (*Housing, Town Planning, &c.*)

45. An Act to amend the Law with respect to Customs in the Isle of Man. (*Isle of Man (Customs).*)

46. An Act to continue various Expiring Laws. (*Expiring Laws Continuance.*)

47. An Act to promote the Economic Development of the United Kingdom and the Improvement of Roads therein. (*Development and Road Improvement Funds.*)

48. An Act to provide for Superannuation Allowances to Officers and Servants employed in Public Asylums for the Insane in Great Britain and Ireland; and to make other relative provisions. (*Asylum Officers' Superannuation.*)

49. An Act to consolidate and amend and extend to other Companies carrying on Assurance or Insurance business the Law relating to Life Assurance Companies, and for other purposes connected therewith. (*Assurance Companies.*)

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THE PUBLIC GENERAL STATUTES.

9 EDWARD 7.

CHAPTER 1.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and nine. [15th March 1909.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 910,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1909.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and nine, the sum of nine hundred and ten thousand pounds.

Short title.

2. This Act may be cited as the Consolidated Fund (No. 1) Act, 1909.

CHAPTER 2.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and eight, one thousand nine hundred and nine, and one thousand nine hundred and ten. [30th March 1909.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in

this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 195,405*l.* 1*s.* 10*d.* out of the Consolidated Fund for the service of the years ending 31st March 1908 and 1909.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March one thousand nine hundred and eight and one thousand nine hundred and nine, the sum of one hundred and ninety-five thousand four hundred and five pounds four shillings and tenpence.

Issue of 48,475,000*l.* out of the Consolidated Fund for the service of the year ending 31st March 1910.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and ten, the sum of forty-eight million four hundred and seventy-five thousand pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole forty-eight million six hundred and seventy thousand four hundred and five pounds four shillings and tenpence.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March nineteen hundred and ten, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title

4. This Act may be cited as the Consolidated Fund (No. 2) Act, 1909.

CHAPTER 3.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[30th April 1909.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of one hundred and eighty-three thousand two hundred, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Act will expire in the year one thousand nine hundred and nine on the following days:— 44 & 45 Vict. c. 58.

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1909.

Army Act to be in force for specified times.

2.—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say):—

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and nine to the thirtieth day of April one thousand nine hundred and ten, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and nine to the thirty-first day of July one thousand nine hundred and ten, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the First Schedule to this Act.

AMENDMENTS OF ARMY ACT.

Transfer of powers to Army Council.

4. There shall be transferred to the Army Council—

(*a*) All powers and duties conferred or imposed on a Secretary of State under the provisions of the Army Act specified in Part I. of the Second Schedule to this Act; and

(*b*) All powers and duties conferred or imposed on the Commander-in-Chief and the Adjutant-General under the Army Act:

and accordingly the modifications set out in Part II. of that Schedule shall be made in the Army Act:

Provided that—

(1) Nothing in this section shall affect the validity of any rules, regulations, orders, or other documents made or executed by a Secretary of State under any of the powers hereby transferred, but all such rules,

regulations, orders, and documents shall until revoked by the Army Council have effect as if made or executed by the Army Council; and

(2) The powers and duties transferred to the Army Council by this section shall, as from the commencement of this Act, be deemed to be business within the meaning of the Order in Council dated the tenth day of August nineteen hundred and four, regulating the distribution of business amongst the members of the Army Council. The Secretary of State may, however, reserve to himself any part of such business; and

(3) Nothing in this section shall affect the responsibility of the Secretary of State to His Majesty and to Parliament.

5.—(1) In subsection (2) of section one hundred and fifteen of the Army Act (which relates to the supply of carriages and vessels in cases of emergency), after the words "carriages "of every description" there shall be inserted the words "(including motor cars and other locomotives, whether for the "purpose of carriage or haulage)."

(2) At the end of the same section the following subsection shall be added:—

"(9) The Army Council may, by regulations under the Territorial and Reserve Forces Act, 1907, assign to county associations established under that Act the duty of furnishing, in accordance with the directions of the Army Council, such carriages, animals, and vessels as may be required on mobilisation for the regular or auxiliary forces, or any part thereof, and where such regulations are made an officer of a county association shall have the same powers as are by this section conferred on an officer of the Army Council."

Amendment of 44 & 45 Vict. c. 58. s. 122 (6).

6. In subsection (6) of section one hundred and twenty-two of the Army Act (which defines "qualified officer" in relation to convening and confirming the findings and sentences of general courts-martial), for the words "on whom the command of any "body of regular forces may be conferred" there shall be substituted the words "on whom the command of any part of "His Majesty's forces may be conferred."

Billeting in cases of emergency.

7. The following section shall be inserted in the Army Act after section one hundred and eight:—

108A.—(1) Where directions have been given for embodying all or any part of the Territorial Force, His Majesty by Order distinctly stating that a case of emergency exists, and signified by a Secretary of State, and also in Ireland the Lord Lieutenant by a like Order, signified by the Chief Secretary or Under-Secretary, may authorise any general or field officer commanding His Majesty's regular forces in any military district or place in the United Kingdom to issue a billeting requisition under this section.

(2) Any officer so authorised may issue a billeting requisition under his hand reciting the said Order and requiring chief officers of police to provide billets in such places and for such number of officers and soldiers, and their horses, and for such period, as may be specified in the requisition.

(3) The provisions of this Act as to billeting shall apply to billeting under such a requisition as if for references therein to a route there were substituted references to such a requisition, subject, however, to the following modifications:—

(*a*) The occupiers of all public buildings, dwelling-houses, warehouses, barns, and stables shall, as well as the keepers of victualling houses, be liable to billets, and the said provisions shall apply as if references to victualling houses and the keepers of victualling houses included references to such public buildings, dwelling-houses, warehouses, barns, and stables, and the occupiers thereof:

(*b*) The powers and duties conferred or imposed on constables shall be exercised and performed by the chief officers of police, and accordingly for references to constables in the said provisions there shall be substituted references to the chief officers of police, and for the reference to a justice of the peace in subsection (7) of section one hundred and eight there shall be substituted a reference to a court of summary jurisdiction, but a chief officer of police, in selecting the persons required to provide billets, and in determining the number of officers and soldiers to be billeted on any person, shall, so far as practicable, have regard to the convenience of the several occupiers, and shall act in accordance with any general instructions which may have been issued by the police authority:

(*c*) The prices to be paid to an occupier other than the keeper of a victualling house for accommodation furnished and food and fodder supplied by him shall be such as may be fixed by regulations made by the Army Council with the consent of the Treasury:

(*d*) Subsection (2) of section one hundred and three (which defines a route), paragraph (6) of section one hundred and eight (which relates to the power of a justice to vary a route), and paragraph (2) of Part II. of the Second Schedule to the Army Act (which requires billets to be made out to the less distant victualling houses) shall not apply.

(4) Any regulations as to prices so made shall be laid before each House of Parliament as soon as may be after they are made, and, if within forty days after they have been so laid either House presents an address to His Majesty praying that any such regulations may be annulled, His Majesty may thereupon by Order in Council annul the same, and the regulations so annulled

shall thenceforth become void without prejudice to anything done thereunder in the meantime.

(5) For the purposes of this section—

The expression "public building" includes any building wholly or partially provided or maintained out of the rates, and any building to which the public habitually have access, whether on payment or otherwise;

The expression "chief officer of police"

(*a*) As respects the City of London, means the Commissioner of City Police, and elsewhere in England has the same meaning as in the Police Act, 1890; 53 & 54 Vict. c. 45

(*b*) In Scotland has the same meaning as in the Police (Scotland) Act, 1890; 53 & 54 Vict. c. 67

(*c*) As respects the police district of Dublin metropolis, means the Chief Commissioner of Police for that district, and elsewhere means a county inspector of the Royal Irish Constabulary.

In the case of unoccupied premises this section shall apply as if the owner were the occupier thereof.

(6) Compensation shall be paid by the Army Council out of money voted by Parliament for Army services in respect of any damage caused by any officer or soldier billeted under this section to the premises in which he is billeted, and the amount of such compensation shall in the event of disagreement be determined—

(*a*) In England by arbitration under the Arbitration Act, 1889; 52 & 53 Vict. c. 49.

(*b*) In Scotland in the same manner as a question of disputed compensation under subsection (10) of section twenty-five of the Local Government (Scotland) Act, 1894; 57 & 58 Vict. c. 58.

(*c*) In Ireland by arbitration under the Common Law Procedure Amendment Act (Ireland), 1856, as amended by any subsequent enactment. 19 & 20 Vict. c. 102.

Amendment of 44 & 45 Vict. c. 58. ss. 175, 176, and 177, as to persons subject to military law.

8.—(1) At the end of paragraph (10) of section one hundred and seventy-five of the Army Act (which relates to persons subject to military law as officers) there shall be added the following paragraph:—

"(11) All officers belonging to a force raised in India or a colony, when attached to or doing duty with any portion of the regular, reserve, or auxiliary forces in the United Kingdom."

(2) In section one hundred and seventy-six of the Army Act (which relates to persons subject to military law as soldiers) the following paragraph shall be inserted after the proviso to paragraph (8):—

"(8A) All non-commissioned officers and men belonging to a force raised in India or a colony when attached to or otherwise acting as part of or with any portion of the regular, reserve, or auxiliary forces in the United Kingdom."

(3) At the end of section one hundred and seventy-seven of the Army Act (which relates to persons belonging to Indian and Colonial forces) the following paragraph shall be added:—

"This section shall not apply to any officer belonging to any such force when attached to or doing duty with, or to any

non-commissioned officer or man belonging to any such force when attached to or otherwise acting as part of or with, any portion of the regular, reserve, or auxiliary forces in the United Kingdom."

Amendment of 44 & 45 Vict. c. 58. s. 177, as to persons belonging to Indian and Colonial forces.

9.—(1) In section one hundred and seventy-seven of the Army Act (which relates to persons belonging to Indian and Colonial forces), after the words "whether within or without "the limits of India or the colony," there shall be inserted the words, "and any such law may apply to any such officers, non-"commissioned officers, and men, all or any of the provisions "of this Act so far as they relate to the regular forces or any "of the auxiliary forces, as the case may require, subject to "such adaptations as may be necessary to make them appli-"cable, and the provisions of this Act so applied shall, subject "to such adaptations as aforesaid, be construed as if such "officers, non-commissioned officers, and men were included in "the expression 'the regular forces' or 'the auxiliary forces,' "as the case may require".

(2) In the same section for the words "respectively mentioned "in the two preceding sections of this Act" there shall be substituted the words "of the regular forces."

Application of Army Act to men of the reserve forces.

10.—(1) Section one hundred and seventy-eight of the Army Act (which applies the Army Act to the auxiliary forces when subject to military law) shall extend to non-commissioned officers and men of the reserve forces when subject to military law otherwise than when called out on permanent service, and accordingly in that section, after the words "in pursuance of "this Act," there shall be inserted the words "and when non-"commissioned officers and men belonging to the reserve forces "are subject to military law in pursuance of this Act, otherwise "than when called out on permanent service," and after the words "men belonging to such auxiliary," there shall be inserted the words "or reserve."

(2) In subsection (8) of section one hundred and ninety of the Army Act (which defines the expression "regular forces"), after the word "world" there shall be inserted the words "including soldiers of the reserve forces when called out on "permanent service and," and the words "and subject to this "qualification, that when the reserve forces are subject to "military law such forces become during the period of their "being so subject part of the regular forces" shall be repealed.

(3) In paragraph (*b*) of subsection (1) of section thirteen of the Army Act (which relates to fraudulent enlistment), the words "not subject to military law" shall be repealed.

Amendment of 44 & 45 Vict. c. 58. s. 190, as to definition of the expression "Governor."

11. In paragraph (27) of section one hundred and ninety of the Army Act (which defines the expression "Governor"), after the words "in its application to a colony" there shall be inserted the words "means the Governor-General, Governor, "High Commissioner or Commissioner, and".

SCHEDULES.

FIRST SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Sixpence per night.
Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Fourpence each.
Dinner as so specified - - - -	Elevenpence halfpenny each.
Supper as so specified - - - - -	Twopence halfpenny each.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Sixpence per day.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - -	Two shillings per night.

Note.—An officer shall pay for his food.

SECOND SCHEDULE.

Section 4.

PART I.

PROVISIONS CONFERRING AND IMPOSING POWERS AND DUTIES ON SECRETARY OF STATE TRANSFERRED TO THE ARMY COUNCIL.

Sections 77, 78, 79, 80, 82, 84, 86, 87, 88, 91, 92, 93, 94, 100, 106, 111, 113, 115 except subsection (1), 118, 119, 137, 138 (8), 139, 140 (1), 142, 145, 154, 156 (1), 161, 162, 167 (1), 173, 175 (7), 179 (12).

PART II.

AMENDMENTS OF ARMY ACT CONSEQUENTIAL ON TRANSFER OF POWERS TO ARMY COUNCIL.

Provision of Army Act modified.	Modification to be made.
Sections 77, 78, 79, 80, 82, 84, 86, 87, 88, 91, 92, 93, 94, 100, 106, 111, 113, 115 (3) (4) (6), 118, 119 (1) and (2), 137 (4), 138 (8), 139, 140 (1), 142, 145 (2), 154 (5) (7) and (8), 156 (1), 161, 162 (4), 173, 175 (7), 179 (12).	For the words "a Secretary of State," "the "Secretary of State," and "such Secretary "of State," wherever those words respectively occur, there shall be substituted the words "The Army Council."

Provision of Army Act modified.	Modification to be made.
Section 137 (1)	For the words "notified as satisfactory by the "Commander-in-Chief to a Secretary of "State" there shall be substituted the words "approved by the Army Council"
Section 163 (1) (*b*) and (*c*)	After the words "a Secretary of State," wherever they occur, there shall be inserted the words "or the Army Council."
Section 167	For the words "a Secretary of State or the "Commander-in-Chief" there shall be substituted the words "the Army Council"
Section 179 (6)	After the words "Secretary of State" there shall be inserted the words "and the Army "Council."
Sections 42, 57 (2) (*a*), 75, 103, 163 (1) (*e*).	For the words "the Commander-in-Chief," and "Commander-in-Chief," wherever those words respectively occur, there shall be substituted the words "the Army Council"
Sections 59 (4) and (5), 64 (2) (3) and (4), and (67) (4) (*a*).	For the word "officers" there shall be substituted the word "authorities," and for the words "the Commander-in-Chief, the "Adjutant-General" there shall be substituted the words "the Army Council."
Section 73 (3)	For the words "the Commander-in-Chief or "Adjutant-General" and the words "the "Commander-in-Chief," where they lastly occur, there shall be substituted the words "the Army Council"
Section 101	For the words "the Commander-in-Chief or "the Adjutant-General" there shall be substituted the words "the Army Council."
Section 122 (6)	The words "the Commander-in-Chief and" shall be omitted.
Section 172 (1)	For the words "the Commander-in-Chief or "the Adjutant-General" there shall be substituted the words "the Army Council," and after the words "on behalf of" there shall be inserted the words "the Army "Council or"
Section 179 (7)	For the words "The Commander-in-Chief, "Adjutant-General," there shall be substituted the words "the Army Council" and for the words "Commander-in-Chief, "Adjutant-General," there shall be substituted the words "Army Council"
Section 183 (2) and proviso (*b*)	For the words "the Commander-in-Chief" where they firstly occur in each of those provisions there shall be substituted the words "the Army Council"

Where, in consequence of the substitution of the Army Council for the Secretary of State or the Commander-in-Chief under the foregoing provisions of this Schedule, it is necessary to substitute words in the plural for words in the singular, such substitution shall be made.

CHAPTER 4.

An Act to amend the Indian Councils Acts, 1861 and 1892, and the Government of India Act, 1833.

[25th May 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Amendment of constitution of Legislative Councils.

1.—(1) The additional members of the councils for the purpose of making laws and regulations (herein-after referred to as Legislative Councils) of the Governor-General and of the Governors of Fort Saint George and Bombay, and the members of the Legislative Councils already constituted, or which may hereafter be constituted, of the several Lieutenant-Governors of Provinces, instead of being all nominated by the Governor-General, Governor, or Lieutenant-Governor in manner provided by the Indian Councils Acts, 1861 and 1892, shall include members so nominated and also members elected in accordance with regulations made under this Act, and references in those Acts to the members so nominated and their nomination shall be construed as including references to the members so elected and their election.

24 & 25 Vict. c. 67.
55 & 56 Vict. c. 14.

(2) The number of additional members or members so nominated and elected, the number of such members required to constitute a quorum, the term of office of such members and the manner of filling up casual vacancies occurring by reason of absence from India, inability to attend to duty, death, acceptance of office, or resignation duly accepted, or otherwise, shall, in the case of each such council, be such as may be prescribed by regulations made under this Act:

Provided that the aggregate number of members so nominated and elected shall not, in the case of any Legislative Council mentioned in the first column of the First Schedule to this Act, exceed the number specified in the second column of that schedule.

Constitution and procedure of Executive Councils of Governors of Fort Saint George and Bombay.

2.—(1) The number of ordinary members of the councils of the Governors of Fort Saint George and Bombay shall be such number not exceeding four as the Secretary of State in Council may from time to time direct, of whom two at least shall be persons who at the time of their appointment have been in the service of the Crown in India for at least twelve years.

(2) If at any meeting of either of such councils there is an equality of votes on any question, the Governor or other person presiding shall have two votes or the casting vote.

Power to constitute provincial executive councils.

3.—(1) It shall be lawful for the Governor-General in Council, with the approval of the Secretary of State in Council, by proclamation, to create a council in the Bengal Division of the Presidency of Fort William for the purpose of assisting the

Lieutenant-Governor in the executive government of the province, and by such proclamation—

(*a*) to make provision for determining what shall be the number (not exceeding four) and qualifications of the members of the council; and

(*b*) to make provision for the appointment of temporary or acting members of the council during the absence of any member from illness or otherwise, and for the procedure to be adopted in case of a difference of opinion between a Lieutenant-Governor and his council, and in the case of equality of votes, and in the case of a Lieutenant-Governor being obliged to absent himself from his council from indisposition or any other cause.

(2) It shall be lawful for the Governor-General in Council, with the like approval, by a like proclamation to create a council in any other province under a Lieutenant-Governor for the purpose of assisting the Lieutenant-Governor in the executive government of the province: Provided that before any such proclamation is made a draft thereof shall be laid before each House of Parliament for not less than sixty days during the session of Parliament, and, if before the expiration of that time an address is presented to His Majesty by either House of Parliament against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft.

(3) Where any such proclamation has been made with respect to any province the Lieutenant-Governor may, with the consent of the Governor-General in Council, from time to time make rules and orders for the more convenient transaction of business in his council, and any order made or act done in accordance with the rules and orders so made shall be deemed to be an act or order of the Lieutenant-Governor in Council.

(4) Every member of any such council shall be appointed by the Governor-General, with the approval of His Majesty, and shall, as such, be a member of the Legislative Council of the Lieutenant-Governor, in addition to the members nominated by the Lieutenant-Governor and elected under the provisions of this Act.

Appointment of Vice-Presidents.

4. The Governor-General, and the Governors of Fort Saint George and Bombay, and the Lieutenant-Governor of every province respectively shall appoint a member of their respective councils to be Vice-President thereof, and, for the purpose of temporarily holding and executing the office of Governor-General or Governor of Fort Saint George or Bombay and of presiding at meetings of Council in the absence of the Governor-General, Governor, or Lieutenant-Governor, the Vice-President so appointed shall be deemed to be the senior member of Council and the member highest in rank, and the Indian Councils Act, 1861, and sections sixty-two and sixty-three of the Government of India Act, 1833, shall have effect accordingly.

3 & 4 Will. 4. c. 85.

Power to extend business of Legislative Councils.

5.—(1) Notwithstanding anything in the Indian Councils Act, 1861, the Governor-General in Council, the Governors in Council of Fort Saint George and Bombay respectively, and the Lieutenant-Governor or Lieutenant-Governor in Council of every province, shall make rules authorising at any meeting of their respective legislative councils the discussion of the annual financial statement of the Governor-General in Council or of their respective local governments, as the case may be, and of any matter of general public interest, and the asking of questions, under such conditions and restrictions as may be prescribed in the rules applicable to the several councils.

(2) Such rules as aforesaid may provide for the appointment of a member of any such council to preside at any such discussion in the place of the Governor-General, Governor, or Lieutenant-Governor, as the case may be, and of any Vice-President.

(3) Rules under this section, where made by a Governor in Council, or by a Lieutenant-Governor, or a Lieutenant-Governor in Council, shall be subject to the sanction of the Governor-General in Council, and where made by the Governor-General in Council shall be subject to the sanction of the Secretary of State in Council, and shall not be subject to alteration or amendment by the Legislative Council of the Governor-General Governor, or Lieutenant-Governor.

Power to make regulations.

6. The Governor-General in Council shall, subject to the approval of the Secretary of State in Council, make regulations as to the conditions under which and manner in which persons resident in India may be nominated or elected as members of the Legislative Councils of the Governor-General, Governors, and Lieutenant-Governors, and as to the qualifications for being, and for being nominated or elected, a member of any such council, and as to any other matter for which regulations are authorised to be made under this Act, and also as to the manner in which those regulations are to be carried into effect. Regulations under this section shall not be subject to alteration or amendment by the Legislative Council of the Governor-General.

Laying of proclamations, &c. before Parliament.

7. All proclamations, regulations, and rules made under this Act, other than rules made by a Lieutenant-Governor for the more convenient transaction of business in his council, shall be laid before both Houses of Parliament as soon as may be after they are made.

Short title, construction, commencement, and repeal.

8.—(1) This Act may be cited as the Indian Councils Act, 1909, and shall be construed with the Indian Councils Acts, 1861 and 1892, and those Acts, the Indian Councils Act, 1869, the Indian Councils Act, 1871, the Indian Councils Act, 1874, the Indian Councils Act, 1904, and this Act may be cited together as the Indian Councils Acts, 1861 to 1909.

32 & 33 Vict. c. 98.
33 & 34 Vict. c. 34.
37 & 38 Vict. c. 91.
4 Edw. 7. c. 26.

(2) This Act shall come into operation on such date or dates as the Governor-General in Council, with the approval of the Secretary of State in Council, may appoint, and different dates

may be appointed for different purposes and provisions of this Act and for different councils.

On the date appointed for the coming into operation of this Act as respects any Legislative Council, all the nominated members of the council then in office shall go out of office, but may, if otherwise qualified, be renominated or be elected in accordance with the provisions of this Act.

(3) The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

MAXIMUM NUMBERS OF NOMINATED AND ELECTED MEMBERS OF LEGISLATIVE COUNCILS.

Legislative Council.	Maximum Number.
Legislative Council of the Governor-General - -	60
Legislative Council of the Governor of Fort Saint George.	50
Legislative Council of the Governor of Bombay - -	50
Legislative Council of the Lieutenant-Governor of the Bengal Division of the Presidency of Fort William.	50
Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh.	50
Legislative Council of the Lieutenant-Governor of the Province of Eastern Bengal and Assam.	50
Legislative Council of the Lieutenant-Governor of the Province of the Punjab	30
Legislative Council of the Lieutenant-Governor of the Province of Burma	30
Legislative Council of the Lieutenant-Governor of any Province which may hereafter be constituted.	30

SECOND SCHEDULE.

Section 8.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
24 & 25 Vict. c. 67.	The Indian Councils Act, 1861.	In section ten, the words "not less "than six nor more than twelve in "number." In section eleven, the words "for the "term of two years from the date "of such nomination." In section fifteen, the words from "and the power of making laws "and regulations" to "shall be present." In section twenty-nine, the words "not less than four nor more than "eight in number." In section thirty, the words "for the "term of two years from the date "of such nomination." In section thirty-four, the words from "and the power of making laws "and regulations" to "shall be present." In section forty-five, the words from "and the power of making laws "and regulations" to "shall be present."
55 & 56 Vict. c. 14.	The Indian Councils Act, 1892.	Sections one and two. In section four, the words "appointed "under the said Act or this Act" and paragraph (2).

CHAPTER 5.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and ten, and to appropriate the Supplies granted in this Session of Parliament. [16th August 1909.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it

enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants out of Consolidated Fund.

Issue of 76,991,102*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and ten, the sum of seventy-six million nine hundred and ninety-one thousand one hundred and two pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole seventy-six million nine hundred and ninety-one thousand one hundred and two pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March nineteen hundred and ten, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of one hundred and twenty-six million five hundred and seventy-one thousand five hundred and seven pounds four shillings and tenpence, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A.), for the services and purposes expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B.) annexed hereto, the sums respectively set forth in the last column of the said schedule. 54 & 55 Vict. c. 24.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

4.—(1) So long as the aggregate expenditure on naval and military services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval and military services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and army expenditure for 1907–1908 unprovided for. 7 Edw. 7. c. 20. 8 Edw. 7. c. 30.

5. Whereas under the powers given for the purpose by the Appropriation Act, 1907, and the Appropriation Act, 1908, surpluses arising on certain votes for the naval and military services respectively have been temporarily applied as shown in the accounts set out in Schedule (C.) to this Act:

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant:

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1909.

ABSTRACT OF SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - -	126,571,507	4	10

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1907-1908-1909.	£	s.	d.	£	s.	d.
Part 1. Civil Services and Revenue Departments Excesses, 1907-1908 - -	1,380	4	10	65,111	5	2
„ 2. Civil Services and Revenue Departments (Supplementary), 1908-1909 - -	1,104,025	0	0	*−1,575	0	0
£	1,105,405	4	10	63,536	5	2
1909-1910.						
„ 3. Navy - - -	35,142,700	0	0	1,640,290	0	0
„ 4. Army - - -	27,435,000	0	0	3,454,950	0	0
„ 4. Army (Ordnance Factories) - - -	100	0	0	2,874,000	0	0
£	62,577,800	0	0	7,969,240	0	0
„ 5. Civil Services, Class I. -	3,255,784	0	0	115,030	0	0
„ 6. Ditto, Class II. -	3,068,514	0	0	636,598	0	0
„ 7. Ditto, Class III. -	4,185,336	0	0	822,957	0	0
„ 8. Ditto, Class IV. -	17,955,793	0	0	23,750	0	0
„ 9. Ditto, Class V. -	1,891,740	0	0	154,053	0	0
„ 10. Ditto, Class VI. -	9,627,354	0	0	—		
„ 11. Ditto, Class VII. -	553,051	0	0	6,450	0	0
TOTAL CIVIL SERVICES - £	40,537,572	0	0	1,758,838	0	0
„ 13. Revenue Departments, &c. £	22,350,730	0	0	483,695	0	0
GRAND TOTAL - - £	126,571,507	4	10	10,275,309	5	2

* Deficit.

SCHEDULE (A.)

Sched. (A.)

GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.
For the service of the years ended on the 31st March 1908 and 1909 :—			
Under Act 9 Edw. 7. c. 1	910,000	0	0
Under Act 9 Edw. 7. c. 2	195,405	4	10
For the service of the year ending on 31st March 1910 :—			
Under Act 9 Edw. 7. c. 2	48,475,000	0	0
Under this Act	76,991,102	0	0
TOTAL	£ 126,571,507	4	10

SCHEDULE (B.)—PART 1.

Sched. (B.) Part 1. Civil Services and Revenue Departments Excesses, 1907-1908.

CIVIL SERVICES AND REVENUE DEPARTMENTS EXCESSES, 1907-1908.

SUM granted to make good Excesses on certain Grants for Civil Services and Revenue Departments for the year ended on the 31st day of March 1908, viz. :—

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
CIVIL SERVICES.—CLASS III.	£	s.	d.	£	s.	d.
Supreme Court of Judicature	1,370	4	10	—		
REVENUE DEPARTMENTS.						
Post Office	10	0	0	65,111	5	2
TOTAL £	1,380	4	10	65,111	5	2

SCHED. (B.) PART 2.
Civil Services and Revenue Departments (Supplementary), 1908–1909.

SCHEDULE (B.)—PART 2.

CIVIL SERVICES AND REVENUE DEPARTMENTS (SUPPLEMENTARY), 1908–1909.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1909, viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.		
CLASS I.	£	£
For Grants in Aid of Harbours	10	—
CLASS II.		
For the Salaries and Expenses in the Offices of the House of Commons	10	2,050
For the Salaries and Expenses of the Department of His Majesty's Secretary of State for the Colonies	610	—
For the Salaries and Expenses of the Board of Agriculture and Fisheries, and of Royal Botanic Gardens, Kew, including certain Grants in Aid	8,000	—
For the Salaries and Expenses of the Department of the Registrar-General of Births, &c. in Scotland	10	475
CLASS III.		
For the expenses of the Prisons in England, Wales, and the Colonies	17,380	500
For the Salaries and Expenses of the Office of Inspector of Reformatories, and for the Maintenance of Juvenile Offenders in Reformatory, Industrial, and Day Industrial Schools, and under the Youthful Offenders Act in Great Britain	4,500	°—2,800
For the Salaries and Expenses of the Lord Advocate's Department, and other Law Charges, and the Salaries and Expenses of the Courts of Law and Justice in Scotland	5	2,200
CLASS IV.		
For a Grant in Aid for the purchase of a picture for the National Gallery	11,890	—
For a Grant to the Merthyr County School in lieu of a Grant under the Welsh Intermediate Education Act, 1889	610	—
CLASS V.		
For sundry Colonial Services, including certain Grants in Aid	47,000	—
CLASS VI.		
For the payment of Old Age Pensions in the United Kingdom, and for administrative expenses in connection therewith	910,000	—
CLASS VII.		
For contributions in aid of expenses under the Unemployed Workmen Act, 1905	100,000	—
REVENUE DEPARTMENTS.		
For the salaries and expenses of the Customs Department	4,000	°—4,000
TOTAL £	1,104,025	°—1,575

° Deficit.

SCHEDULE (B.)—PART 3.

SCHED. (B.) PART 3. Navy.

NAVY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For wages, &c. to 128,000 officers, seamen, and boys, coastguard, and royal marines -	7,280,200	152,749
2. For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad - - -	2,416,800	568,831
3. For medical services, including the cost of medical establishments at home and abroad	258,700	21,034
4. For martial law, including the cost of naval prisons at home and abroad - -	12,700	120
5. For educational services - - -	159,300	64,573
6. For scientific services - - -	67,300	29,518
7. For the royal naval reserve, the royal fleet reserve (including seamen pensioner reserve), and the royal naval volunteers, &c. -	337,000	9,527
8. Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad - - -	3,148,200	21,500
„ Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad - - -	4,392,100	373,000
„ Sect. 3. For contract work for shipbuilding, repairs, &c. - - - - -	8,278,300	165,070
9. For naval armaments - - - -	2,381,000	140,000
10. For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith -	2,916,300	34,000
11. For various miscellaneous effective services -	438,800	13,500
12. For the Admiralty Office - - -	378,200	8,775
13. For half-pay, and retired pay to officers of the navy and marines - - -	890,200	15,001
14. For naval and marine pensions, gratuities, and compassionate allowances - -	1,387,800	22,682
15. For civil pensions and gratuities - -	369,800	410
TOTAL NAVY SERVICES - - £	35,142,700	1,640,290

SCHED (B.) PART 4. Army.

SCHEDULE (B.)—PART 4.

ARMY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the pay, &c. of His Majesty's Army (including Army Reserve to a number not exceeding 137,000) at home and abroad (exclusive of India)	8,527,000	1,310,700
2.	For the pay, &c. of the medical establishments and for medicines, &c.	440,000	1,800
3.	For the pay, bounty, &c. of the Special Reserves and militia (to a number not exceeding 99,314, including 7,000 militia and 1,650 militia reserve) and of the Officers' Training Corps	897,000	8,300
4.	For grants, pay, allowances, training, and miscellaneous charges of the Territorial Force (not exceeding 313,314 men), and Channel Islands and Colonial Militia, including the expense of permanent staff	2,307,000	6,750
5	For establishments for military education	146,000	70,500
6.	For quartering, transport, and remounts	1,665,000	68,000
7.	For supplies and clothing	4,275,000	188,000
8.	For the Ordnance Department establishments and for general stores	535,000	204,000
9.	For armaments and engineer stores, including technical committees	1,644,000	400,000
10.	For works, buildings, and repairs, lands, and miscellaneous engineer services, including staff in connection therewith	2,551,000	169,000
11.	For miscellaneous effective services	67,000	2,000
12.	For the War Office and Army Accounts Department	593,000	250
13.	For rewards; half-pay; retired pay; widows' pensions; and other non-effective charges for officers	1,762,000	502,250
14.	For Chelsea and Kilmainham hospitals; for out-pensions; for rewards for distinguished services; for widows' pensions; and for other non-effective charges for warrant officers, non-commissioned officers, and men, &c.	1,868,000	523,350
15.	For civil superannuation, compensation, compassionate allowances, and gratuities, and for payments under the Workmen's Compensation Acts	158,000	50
	TOTAL ARMY SERVICES £	27,435,000	3,454,950

SCHED. (B.) PART 4. Army.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
ARMY (ORDNANCE FACTORIES).	£	£
For the ordnance factories, the cost of productions of which is charged to the army, navy, and Indian and Colonial Governments - -	100	2,874,000
TOTAL ARMY SERVICES (INCLUDING ORDNANCE FACTORIES) - - £	27,435,100	6,328,950

SCHEDULE (B.)—PART 5.

SCHED. (B.) PART 5. Civil Services. Class I.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For expenditure in respect of royal palaces -	59,100	1,585
2.	For expenditure in respect of Osborne - -	12,300	2,400
3.	For the royal parks and pleasure gardens - -	126,500	9,498
4.	For expenditure in respect of the Houses of Parliament buildings - - -	54,900	330
4A.	For the execution and erection of a monument in the Collegiate Church of St. Peter, Westminster, to the memory of the late Right Honourable the Marquess of Salisbury - -	1,100	—
5.	For expenditure in respect of miscellaneous legal buildings, Great Britain - - -	63,500	900
6.	For expenditure in respect of Art and Science buildings, Great Britain - - -	93,000	930
7.	For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad - - -	87,100	895
8.	For the Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad -	720,000	5,915
9.	For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes (including a Supplementary sum of 21,000*l.*) - - - - -	691,000	15,490
9A.	For Labour Exchange Buildings, Great Britain	70,000	—
10.	For the survey of the United Kingdom, and for minor services connected therewith -	200,076	37,575

SCHED. (B.) PART 5. Civil Services. Class I.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
11.	For maintaining certain harbours under the Board of Trade and for grants in aid of harbours	71,196	2,600
12.	For constructing a new harbour of refuge at Peterhead	32,000	—
13.	For rates and contributions in lieu of rates, &c. in respect of Government property, and for rates on houses occupied by representatives of Foreign Powers, and for salaries and expenses of the Rating of Government property department, and for a contribution towards the expenses of the London Fire Brigade	654,500	29,852
14.	For the erection, repairs, and maintenance of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon	251,017	7,060
15.	For payments under the Tramways and Public Companies (Ireland) Act, 1883, &c., the Tramways (Ireland) Act, 1895, the Railways (Ireland) Act, 1896, and the Marine Works (Ireland) Act, 1902, and for other purposes connected with Irish Railways	68,495	—
	TOTAL CIVIL SERVICES, CLASS I. - £	3,255,784	115,030

SCHED. (B.) PART 6. Civil Services Class II.

SCHEDULE (B.)—PART 6.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the offices of the House of Lords	25,894	17,000
2.	For the salaries and expenses in the offices of the House of Commons	45,180	18,000
3.	For the salaries and other expenses of the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896	106,171	3,624
4.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices	215,800	9,700

SCHED. (B.) PART C. Civil Services, Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
5.	For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs	65,871	650
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid of certain expenses connected with Emigration	58,900	—
7.	For the salaries and expenses of the department of His Majesty's Most Honourable Privy Council	11,240	1,929
8.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments (including a Supplementary sum of 31,000*l.*)	350,700	26,327
9.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine (including Merchant Seamen's Fund Pensions)	105,316	64,750
10.	For meeting the deficiency of income from fees, &c. for the requirements of the Board of Trade, under the Bankruptcy Acts, 1883 and 1890	8	111,506
11.	For the salaries and expenses of the Board of Agriculture and Fisheries and of Royal Botanic Gardens, Kew, including certain grants in aid	173,169	36,400
12.	For the salaries and expenses of the Charity Commission for England and Wales	29,222	—
13.	For the salaries and expenses of the Civil Service Commission	38,403	—
14.	For the salaries and expenses of the department of the Comptroller and Auditor General	64,400	8,512
15.	For the salaries and expenses of the Registry of Friendly Societies	9,307	—
16.	For the salaries and expenses of the Local Government Board	254,294	5,300
17.	For the salaries and expenses of the office of the Commissioners in Lunacy in England	16,961	962
18.	For the salaries and expenses of the Mint, including the expenses of coinage	97	155,900
19.	For the salaries and expenses of the National Debt Office	13,882	2,949
20.	For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments	25,260	—
21.	For the salaries and expenses of the establishment under the Public Works Loan Commissioners	1,848	10,000
22.	For the salaries and expenses of the department of the Registrar General of Births, &c. in England	44,315	9,420
23.	For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates	720,960	120,000

SCHED. (B.) PART 6. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
24.	For the salaries and expenses in the office of His Majesty's Woods, Forests, and Land Revenues	21,869	—
25.	For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings (including a Supplementary sum of 9,339*l.*)	101,276	—
26.	For His Majesty's foreign and other secret services	50,000	—
27.	For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate office, expenses under the Inebriates Acts, 1879 to 1900, and expenses under the Private Legislation Procedure (Scotland) Act, 1899, including a grant in aid of the Congested Districts (Scotland) Fund	36,016	2,260
28.	For the salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays	20,197	—
29.	For the salaries and expenses of the Board of Lunacy in Scotland	6,421	540
30.	For the salaries and expenses of the department of the Registrar General of Births, &c. in Scotland	4,731	1,000
31.	For the salaries and expenses of the Local Government Board for Scotland	16,535	—
32.	For the salaries and expenses of the household of the Lord Lieutenant of Ireland	4,672	—
33.	For the salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and of the Inspectors of Lunatic Asylums, and expenses under the Inebriates Acts	29,896	305
34.	For the salaries and expenses of the department of agriculture and other industries, and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid	234,817	2,330
35.	For the salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	2.055	34
36.	For the salaries and expenses of the Local Government Board in Ireland	77,731	14,500
37.	For the salaries and expenses of the Public Record Office in Ireland and of the Keeper of State Papers in Dublin	6,212	—
38.	For the salaries and expenses of the Office of Public Works in Ireland	43,992	2,500
39.	For the salaries and expenses of the department of the Registrar General of Births, &c., and for the expenses of collecting emigration statistics in Ireland	12,170	800
40.	For the salaries and expenses of the general valuation and boundary survey of Ireland	22,726	9,400
	TOTAL CIVIL SERVICES, CLASS II. £	3,068,514	636,598

SCHEDULE (B.)—PART 7.

SCHED. (B.) PART 7. Civil Services. Class III.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries of the law officers department, the salaries and expenses of the department of the Solicitor for the affairs of His Majesty's Treasury and King's Proctor, and the department of Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency -	99,897	15,500
2.	For certain miscellaneous legal expenses, including grants in aid of the expenses of the Incorporated Law Societies of England and Ireland - - - - - -	50,614	12,731
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund - - - - -	328,270	53,980
4.	For the salaries and expenses of the office of Land Registry - - - - -	38,555	—
5.	For the salaries and expenses of the office of Public Trustee - - - - -	600	10,000
6.	For the salaries and expenses connected with the County Courts - - - - -	5	498,775
7.	For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, the pay and expenses of officers of Metropolitan Police employed on special duties, and the salaries and expenses of the Inspectors of Constabulary - -	39,888	77
8.	For the expenses of the prisons in England, Wales, and the Colonies - - -	753,737	24,500
9.	For the salaries and expenses of the office of the Inspector of Reformatories and for the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools and in places of detention under the Children Act, in Great Britain - - - - -	282,562	26,000
10.	For the maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum -	71,248	1,200
11.	For the salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland - -	82,185	49,400
12.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - - - - -	42,993	—

SCHED. (B.) PART 7. Civil Services. Class III.

No.		Sums not exceeding: Supply Grants.	Appropriations in Aid.
		£	£
13.	For the salaries and expenses of the Establishment of the Crofters' Commission - -	4,485	—
14.	For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics and inmates of the State inebriate reformatory, and the preparation of judicial statistics - -	97,390	5,759
15.	For criminal prosecutions and other law charges in Ireland - - - - - -	65,343	490
16.	For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund - -	104,919	5,550
17.	For the salaries and expenses of the office of the Irish Land Commission - - - -	303,677	11,300
18.	For the salaries, allowances, and expenses of various county court officers, and of magistrates in Ireland, and the expenses of revision	110,875	5,000
19.	For the salaries and expenses of the Commissioner of Police, the police courts and metropolitan police establishment of Dublin -	96,963	55,405
20.	For the expenses of the Royal Irish Constabulary	1,380,918	42,140
21.	For the expenses of the General Prisons Board in Ireland, and of the establishments under their control; the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums -	112,695	3,500
22.	For the expenses of reformatory and industrial schools in Ireland - - - - -	110,108	1,650
23.	For the maintenance of criminal lunatics in the Dundrum Criminal Lunatic Asylum, Ireland	7,409	—
	TOTAL CIVIL SERVICES, CLASS III. - £	4,185,336	822,957

SCHEDULE (B.)—PART 8.

SCHED. (B.) PART 8. Civil Services. Class IV.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including grants for the Building of New Public Elementary Schools and sundry grants in aid	13,648,792	3,600
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid	179,228	9,250
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank (including a Supplementary sum of 10,000*l.* as a grant in aid for the purchase of a picture for the National Gallery)	21,725	2,100
4.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits	5,793	—
5.	For the salaries and expenses of the Wallace Collection	6,614	800
6.	For sundry grants in aid of scientific investigation, &c., and other grants (including a Supplementary sum of 6,500*l.*)	64,464	—
7.	For grants in aid of the expenses of certain Universities and Colleges in Great Britain and of the expenses under the Welsh Intermediate Education Act, 1889	217,400	—
8.	For public education in Scotland, and for Science and Art in Scotland, including a grant in aid	2,147,541	—
9.	For the Salaries and Expenses of the National Gallery, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid	5,392	—
10.	For the expenses of the Commissioners of National Education in Ireland, including a grant in aid of the Teachers Pension Fund, Ireland	1,621,921	150
11.	For the expenses of the Office of the Commissioners for managing certain school endowments in Ireland	920	—
12.	For the salaries and expenses of the National Gallery of Ireland, including a grant in aid for the purchase of pictures	3,153	—
13.	For a grant in aid of the expenses of the Queen's Colleges in Ireland	4,700	7,850
13A.	For the general purposes of the Queen's University, Belfast, and the University Colleges at Dublin, Cork, and Galway, under section 7 (2) of the Irish Universities Act, 1908	28,150	—
	TOTAL CIVIL SERVICES, CLASS IV. - £	17,955,793	23,750

SCHED. (B.) PART 9. Civil Services. Class V.

SCHEDULE (B.)—PART 9.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote - -	602,006	102,070
2.	For sundry colonial services, including certain grants in aid - - - - -	1,176,521	—
3.	For the subsidies to certain Telegraph Companies, and a grant in aid of the annual expenses of the Pacific Cable - - -	63,213	51,983
4.	For a grant in aid of the Revenue of the Island of Cyprus - - - - - -	50,000	—
	TOTAL CIVIL SERVICES, CLASS V. - £	1,891,740	154,053

SCHED. (B.) PART 10. Civil Services. Class VI.

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For superannuation, compensation, and compassionate allowances and gratuities under sundry Statutes, for compassionate allowances and gratuities awarded by the Treasury; and for the salaries of medical referees - - - - -	676,139	—

SCHED. (B.) PART 10. Civil Services. Class VI.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
2.	For certain miscellaneous charitable and other allowances	1,459	—
3.	For hospitals and infirmaries and certain miscellaneous charitable and other allowances in Ireland, including sundry grants in aid	16,981	—
4.	For making good deficiencies on the Income Accounts of the Funds for Trustee Savings Banks, Friendly Societies, and Post Office Savings Banks (including a Supplementary sum of 1,434*l.*)	182,775	—
5.	For Old Age Pensions in the United Kingdom, and for certain administrative expenses in connection therewith	8,750,000	—
	TOTAL CIVIL SERVICES, CLASS VI. - £	9,627,354	—

SCHEDULE (B.)—PART 11.

SCHED. (B.) PART 11. Civil Services. Class VII.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For the salaries and other expenses of temporary commissions, committees, and special inquiries	45,000	—
2.	For certain miscellaneous expenses	11,758	6,450
3.	For making good certain sums written off from the assets of the Local Loans Fund	9,441	—
4.	For the Ireland Development Grant (Grant in Aid)	186,874	—
5.	For Government Hospitality	10,000	—

SCHED. (B.) PART II. Civil Services, Class VII.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
6. For the repayment to the Civil Contingencies Fund of certain Miscellaneous Advances -	29,978	—
7. For contributions in aid of expenses under the Unemployed Workmen Act, 1905 - -	200,000	—
8. For a grant in aid of the expenses of the Royal Commission for the International Exhibitions at Brussels, Rome, and Turin - -	60,000	—
TOTAL CIVIL SERVICES, CLASS VII. - £	553,051	6,450

SCHED. (B.) PART 12. Revenue Departments, &c.

SCHEDULE (B.)—PART 12.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c. herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1910; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries and expenses of the Customs and Excise Department - - -	2,129,600	62,900
2. For the salaries and expenses of the Inland Revenue Department - - -	1,243,200	10,000
3. For the salaries and expenses of the Post Office, including Telegraphs and Telephones -	18,977,930	410,795
TOTAL REVENUE DEPARTMENTS - £	22,350,730	483,695

SCHEDULE (C.)

SCHED. (C.) Navy Services.

Number of Vote.	NAVY SERVICES, 1907-8. VOTES.	Surpluses.	Deficits made good from Surpluses.
		£ s. d.	£ s. d.
1	Wages, &c. of officers, seamen, and boys, Coastguard, and Royal Marines	—	155,329 8 3
2	Victualling and clothing for the Navy	—	40,556 7 6
3	Medical establishments and services	14,258 4 1	—
4	Martial law	1,321 4 0	—
5	Educational services	12,302 2 4	—
6	Scientific services	4,757 16 8	—
7	Royal Naval Reserves	66,804 14 1	—
8	Shipbuilding, repairs, maintenance, &c.:		
	I. Personnel	—	167,302 8 4
	II. Matériel	—	310,720 12 5
	III. Contract work	193,737 11 6	—
9	Naval armaments	241,905 6 6	—
10	Works, buildings, and repairs, at home and abroad	304,827 2 5	—
11	Miscellaneous effective services	41,987 14 2	—
12	Admiralty Office	6,914 2 8	—
13	Half pay, reserved and retired pay	—	19,768 1 8
14	Naval and marine pensions, gratuities, and compassionate allowances	—	18,855 16 0
15	Civil pensions and gratuities	—	4,391 15 5
—	Amount written off as irrecoverable	—	3,547 15 11
	Total	868,815 18 5	720,472 5 6
	NET SURPLUS	£168,343 12 11	

SCHED. (C.) Army Services.

SCHEDULE (C.)

Number of Vote.	ARMY SERVICES, 1907-8 VOTES.	Surpluses.	Deficits made good from Surpluses
		£ s. d	£ s. d.
1	Pay, &c of Army - - -	138,765 3 3	—
2	Medical establishment: Pay, &c	19,313 17 3	—
3	Militia Pay, bounty, &c. - -	112,056 16 11	—
4	Imperial Yeomanry: Pay and Allowances - - -	2,891 17 8	—
5	Volunteer corps Pay and Allowances - - - - -	22,949 4 10	—
6	Quarterings, transport, and remounts - - - -	76,444 16 3	—
7	Supplies and clothing - -	115,269 0 5	—
8	Ordnance Department establishments and general stores - -	101,021 2 5	—
9	Armaments and engineer stores -	—	12,866 7 2
10	Works and buildings - -	84,225 5 9	—
11	Establishments for military education - - - - -	—	780 13 8
12	Miscellaneous effective services -	—	697 4 0
13	War Office and army accounts department - - -	3,041 5 1	—
14	Non effective charges for officers, &c. - - - - -	10,828 4 9	—
15	Non effective charges for men, &c	—	47,178 5 1
16	Civil superannuation, compensation, compassionate allowances, and gratuities - - -	471 19 2	—
—	Balances irrecoverable and claims abandoned - - -	—	7,298 3 11
	Total - - -	687,278 13 9	68,820 13 10
	NET SURPLUS - -	£618,457 19 11	

CHAPTER 6.

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans. [16th August 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants for public works.

1.—(1) For the purpose of local loans there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of four million pounds;

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland any sum or sums not exceeding in the whole the sum of six hundred thousand pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1887. 50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund.

2. Whereas it is expedient that the principal of the several local loans specified in the Schedule to this Act should, to the extent specified in the last column of that Schedule, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887; therefore, the principal of the said loans shall to that extent be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of arrears of principal and interest in respect of Eyemouth Harbour loan.

3. Whereas in pursuance of an agreement made in the year eighteen hundred and ninety-two the sum of ten thousand pounds was advanced by the Public Works Loan Commissioners to the Eyemouth Harbour Trustees on the security of the harbour revenues with the collateral security of the Fishery Board for Scotland:

And whereas by an arrangement confirmed by section three of the Public Works Loans Act, 1901, the liability of the Eyemouth Harbour Trustees in respect of the said loan was extinguished without prejudice to the liability of the Fishery Board for Scotland to repay that loan, and, in consequence thereof, the said collateral security is the sole security for the repayment of the said loan: 1 Edw. 7. c. 35.

And whereas the terms of the said collateral security are embodied in a memorandum of agreement between the Secretary

for Scotland and the Public Works Loan Commissioners, dated the eleventh day of March eighteen hundred and ninety-two, whereby a portion of the "surplus herring brand fees," as defined in clause three of the said memorandum, was pledged in security for the repayment of the said loan with interest, by the instalments and at the times mentioned in the security given by the Eyemouth Harbour Trustees for the said loan, and it was provided that the said portion of the "surplus herring brand fees" of any one year should only be applicable to the repayment of the one-fiftieth part of principal and interest on outstanding principal falling due under the security for the said loan in the same year, and should not be applicable to the repayment of arrears of principal:

And whereas the said portion of the "surplus herring brand fees" so pledged as aforesaid, was in the year ending the thirty-first day of March nineteen hundred and eight, insufficient to discharge in full the instalment of principal with interest which fell due under the security for the said loan in that year, and the principal sum of one hundred and fifty-one pounds seventeen shillings and twopence, with interest amounting to one hundred and thirteen pounds seventeen shillings and elevenpence, now remains unpaid and under the terms of the said memorandum of agreement is irrecoverable:

Therefore the said principal sum of one hundred and fifty-one pounds seventeen shillings and twopence shall be extinguished and the said arrears of interest amounting to one hundred and thirteen pounds seventeen shillings and elevenpence shall be remitted.

Short title.

4. This Act may be cited as the Public Works Loans Act, 1909.

Section 2.

SCHEDULE.

PART I.

LOANS BY THE PUBLIC WORKS LOAN COMMISSIONERS.

Loan under the Harbours and Passing Tolls, &c. Act, 1861 (24 & 25 *Vict. c.* 47).

Name of Borrower.	Amount of Loan.	Amount to be written off.
	£	£ s. d.
Eyemouth Harbour Trustees - -	10,000	151 17 2

Part II.

Loans by the Commissioners of Public Works, Ireland.

(1) *Loan under the Drainage and Improvement of Lands (Ireland) Act*, 1863 (26 & 27 *Vict. c.* 88).

Name of Proprietor.	Amount of Loan.	Amount to be written off.
William O'Neill, Doohyle, Rathkeale, County Limerick.	£ s. d. 21 9 2	£ s. d. 3 10 9

(2) *Loan under the Drainage Maintenance Act*, 1866 (29 & 30 *Vict. c.* 49).

Name of Proprietor.	Amount of Loan.	Amount to be written off.
William O'Neill, Doohyle, Rathkeale, County Limerick.	£ s. d. 9 12 10	£ s. d. 2 8 7

(3) *Loans under the Land Law (Ireland) Act*, 1881 (44 & 45 *Vict. c.* 49. *s.* 31).

Name of Borrower.	Amount of Loan.	Amount to be written off.
Connor Haugh, Doonaha, Carrigaholt, County Clare.	£ s. d. 110 0 0	£ s. d. 62 9 2
Michael McMahon, Moyarta, Carrigaholt, County Clare.	40 0 0	29 10 4
Patrick Molumpy, Ballard, Kilworth, County Cork.	45 0 0	31 14 7
Timothy Murray, Gortroe, Dunmanway, County Cork.	55 0 0	46 16 1
Sundry small sums - - -	105 0 0	2 5 10

PART III.

LOANS BY THE FISHERY BOARD FOR SCOTLAND.

Loans under the Crofters Holdings (Scotland) Act, 1886 (49 & 50 *Vict. c.* 29).

Name of Borrower.	Fishery District.	Amount of Loan.	Amount to be written off.
		£ s. d.	£ s. d.
John Sutherland (Davie) and others	Helmsdale	252 0 0	26 5 0
John Macrae and others - -	Do. -	250 0 0	28 7 8
Alexander Oag and Henry Oag -	Wick -	253 11 6	19 5 2
Murdo McKenzie and others - -	Stornoway	279 0 0	3 1 3

CHAPTER 7.

An Act to provide for the establishment of Labour Exchanges and for other purposes incidental thereto.

[20th September 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of Board of Trade to establish labour exchanges and to collect and furnish information.

1.—(1) The Board of Trade may establish and maintain, in such places as they think fit, labour exchanges, and may assist any labour exchanges maintained by any other authorities or persons, and in the exercise of those powers may, if they think fit, co-operate with any other authorities or persons having powers for the purpose.

(2) The Board of Trade may also, by such other means as they think fit, collect and furnish information as to employers requiring workpeople and workpeople seeking engagement or employment.

(3) The Board of Trade may take over any labour exchange (whether established before or after the passing of this Act) by agreement with the authority or person by whom the labour exchange is maintained, and any such authority or person shall have power to transfer it to the Board of Trade for the purposes of this Act.

(4) The powers of any central body or distress committee, and the powers of any council through a special committee, to establish or maintain, under the Unemployed Workmen Act, 1905, a labour exchange or employment register shall, after the expiration of one year from the commencement of this Act, not be exercised except with the sanction of, and subject to any

5 Edw. 7. c. 18.

conditions imposed by, the Local Government Board for England, Scotland, or Ireland, as the case may require, and that sanction shall not be given except after consultation with the Board of Trade.

Regulations and management.

2.—(1) The Board of Trade may make general regulations with respect to the management of labour exchanges established or assisted under this Act, and otherwise with respect to the exercise of their powers under this Act, and such regulations may, subject to the approval of the Treasury, authorise advances to be made by way of loan towards meeting the expenses of workpeople travelling to places where employment has been found for them through a labour exchange.

(2) The regulations shall provide that no person shall suffer any disqualification or be otherwise prejudiced on account of refusing to accept employment found for him through a labour exchange where the ground of refusal is that a trade dispute which affects his trade exists, or that the wages offered are lower than those current in the trade in the district where the employment is found.

(3) Any general regulations made under this section shall have effect as if enacted in this Act, but shall be laid before both Houses of Parliament as soon as may be after they are made, and, if either House of Parliament within the next forty days during the session of Parliament after any regulations have been so laid before that House resolves that the regulations or any of them ought to be annulled, the regulations or those to which the resolution applies shall, after the date of such resolution, be of no effect, without prejudice to the validity of anything done in the meantime under the regulations or to the making of any new regulations.

(4) Subject to any such regulations, the powers of the Board of Trade under this Act shall be exercised in such manner as the Board of Trade may direct.

(5) The Board of Trade may, in such cases as they think fit, establish advisory committees for the purpose of giving the Board advice and assistance in connexion with the management of any labour exchange.

Penalties for making false statements, &c.

3. If any person knowingly makes any false statement or false representation to any officer of a labour exchange established under this Act, or to any person acting for or for the purposes of any such labour exchange, for the purpose of obtaining employment or procuring workpeople, that person shall be liable in respect of each offence on summary conviction to a fine not exceeding ten pounds.

Expenses of the Board of Trade.

4. The Board of Trade may appoint such officers and servants for the purposes of this Act as the Board may, with the sanction of the Treasury, determine, and there shall be paid out of moneys provided by Parliament to such officers and servants such salaries or remuneration as the Treasury may determine, and any expenses incurred by the Board of Trade in carrying this Act into effect, including the payment of travelling

and other allowances to members of advisory committees and other expenses in connexion therewith, to such amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament.

Interpretation.

5. In this Act the expression "labour exchange" means any office or place used for the purpose of collecting and furnishing information, either by the keeping of registers or otherwise, respecting employers who desire to engage workpeople and workpeople who seek engagement or employment.

Short title.

6. This Act may be cited as the Labour Exchanges Act, 1909.

CHAPTER 8.

An Act to prohibit the landing and selling in the United Kingdom of fish caught in prohibited areas of the sea adjoining Scotland or Ireland. [20th September 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Landing and selling of fish illegally caught prohibited.

1. From and after the expiration of one month from the passing of this Act it shall not be lawful to land or sell in the United Kingdom any fish caught by the methods of fishing known as beam trawling and otter trawling within prohibited areas as defined in this Act; and fish so caught within such areas shall be added to the table of prohibitions and restrictions contained in section forty-two of the Customs Consolidation Act, 1876, and upon being brought to land in the United Kingdom shall be dealt with as goods imported and brought into the United Kingdom contrary to the said prohibitions and restrictions.

39 & 40 Vict. c. 36.

Presumption that fish are illegally caught.

2. If a trawling or other vessel shall have been employed—

(*a*) in fishing by the methods and within the areas aforesaid; or

(*b*) in taking on board fish caught by the methods and within the areas aforesaid,

within two months prior to the landing or selling, or attempt to land or sell, fish therefrom in the United Kingdom, any fish on board such trawling or other vessel shall for the purposes of this Act be presumed to have been caught by the methods and within the areas aforesaid.

Fishery Board to notify.

3. The Fishery Board for Scotland shall from time to time notify to the Commissioners of Customs and Excise, or to the officer or officers of Customs and Excise stationed at such ports as may be deemed necessary, the names, numbers, or other means of identification of all vessels with regard to which the said

Board are satisfied that on the date or dates specified in such notification such vessels were employed in fishing by the methods and within the areas aforesaid, or in taking on board fish caught by the methods and within the areas aforesaid, and such notification shall be in such form and regulated by such procedure as may be prescribed by the Secretary for Scotland, and shall be sufficient warrant for such Commissioners or officers to enforce the prohibitions and restrictions provided in section one hereof in the case of any vessel from which, within two months of the latest date specified in the notification, fish is landed or sold or attempted to be landed or sold in the United Kingdom.

Saving. 52 & 53 Vict. c. 23.

4. Nothing in this Act shall affect or derogate from the provisions of section eight of the Herring Fishery (Scotland) Act, 1889: Provided that, in any case where fish have been forfeited in pursuance of the provisions of this Act, proceedings shall not be taken for a penalty under that Act.

Definition of prohibited area.

5. In this Act the expression "prohibited area" means—

(1) Any waters within which the methods of fishing known as beam trawling and otter trawling are prohibited by the Herring Fishery (Scotland) Act, 1889, or any byelaw made thereunder, but does not include any such waters within three miles from low-water mark of any part of the coast of Scotland, unless such waters form part of an area which, as defined for the purposes of the said Act or byelaw, extends more than three miles from low-water mark as aforesaid;

(2) Any waters within which the use of the method of fishing known as beam trawling or other trawling in or from any steamer or steamship or vessel propelled by steam is prohibited by any byelaw made under section three of the Steam Trawling (Ireland) Act, 1889, but does not include any such waters within three miles from low-water mark of any part of the coast of Ireland, unless such waters form part of an area which, as defined for the purposes of the byelaw, extends more than three miles from low-water mark as aforesaid. 52 & 53 Vict. c. 71.

Application to prohibited areas adjoining Ireland.

6. This Act, in its application to prohibited areas of the sea adjoining Ireland, shall be subject to the following modifications:—

(*a*) A reference to the Lord Lieutenant shall be substituted for the reference to the Secretary for Scotland;

(*b*) A reference to the Department of Agriculture and Technical Instruction for Ireland shall be substituted for the reference to the Fishery Board for Scotland;

(*c*) Nothing in this Act shall affect or derogate from the provisions of section four of the Steam Trawling (Ireland) Act, 1889, or section one of the Fisheries (Ireland) Act, 1901: Provided that, in any case where 1 Edw. 7. c. 38.

fish have been forfeited in pursuance of the provisions of this Act, proceedings shall not be taken for a penalty under either of those sections; and

(*d*) References to the methods of fishing known as beam trawling and otter trawling shall, as regards any prohibited area of the sea adjoining Ireland, be construed as references to any method of fishing prohibited by the byelaw relating to the area: Provided that nothing in this Act shall operate to prohibit the landing or selling of fish caught in any such area by the use of any such method in or from any vessel other than a steamer, steamship, or vessel propelled by steam.

Short title. **7.** This Act may be cited as the Trawling in Prohibited Areas Prevention Act, 1909.

CHAPTER 9.

An Act to constitute the Union of South Africa.

[20th September 1909.]

WHEREAS it is desirable for the welfare and future progress of South Africa that the several British Colonies therein should be united under one Government in a legislative union under the Crown of Great Britain and Ireland:

And whereas it is expedient to make provision for the union of the Colonies of the Cape of Good Hope, Natal, the Transvaal, and the Orange River Colony on terms and conditions to which they have agreed by resolution of their respective Parliaments, and to define the executive, legislative, and judicial powers to be exercised in the government of the Union:

And whereas it is expedient to make provision for the establishment of provinces with powers of legislation and administration in local matters and in such other matters as may be specially reserved for provincial legislation and administration:

And whereas it is expedient to provide for the eventual admission into the Union or transfer to the Union of such parts of South Africa as are not originally included therein:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

PRELIMINARY.

Short title. **1.** This Act may be cited as the South Africa Act, 1909.

Definitions. **2.** In this Act, unless it is otherwise expressed or implied, the words "the Union" shall be taken to mean the Union of

South Africa as constituted under this Act, and the words "Houses of Parliament," "House of Parliament," or "Parliament," shall be taken to mean the Parliament of the Union.

Application of Act to King's successors.

3. The provisions of this Act referring to the King shall extend to His Majesty's heirs and successors in the sovereignty of the United Kingdom of Great Britain and Ireland.

PART II.

THE UNION.

Proclamation of Union.

4. It shall be lawful for the King, with the advice of the Privy Council, to declare by proclamation that, on and after a day therein appointed, not being later than one year after the passing of this Act, the Colonies of the Cape of Good Hope, Natal, the Transvaal, and the Orange River Colony, hereinafter called the Colonies, shall be united in a Legislative Union under one Government under the name of the Union of South Africa. On and after the day appointed by such proclamation the Government and Parliament of the Union shall have full power and authority within the limits of the Colonies, but the King may at any time after the proclamation appoint a governor-general for the Union.

Commencement of Act.

5. The provisions of this Act shall, unless it is otherwise expressed or implied, take effect on and after the day so appointed.

Incorporation of Colonies into the Union.

6. The Colonies mentioned in section four shall become original provinces of the Union under the names of Cape of Good Hope, Natal, Transvaal, and Orange Free State, as the case may be. The original provinces shall have the same limits as the respective Colonies at the establishment of the Union.

Application of 58 & 59 Vict. c. 34, &c.

7. Upon any colony entering the Union, the Colonial Boundaries Act, 1895, and every other Act applying to any of the Colonies as being self-governing colonies or colonies with responsible government, shall cease to apply to that colony, but as from the date when this Act takes effect every such Act of Parliament shall apply to the Union.

PART III.

EXECUTIVE GOVERNMENT.

Executive power.

8. The Executive Government of the Union is vested in the King, and shall be administered by His Majesty in person or by a governor-general as His representative.

Governor-General.

9. The Governor-General shall be appointed by the King, and shall have and may exercise in the Union during the King's pleasure, but subject to this Act, such powers and functions of the King as His Majesty may be pleased to assign to him.

Salary of Governor-General.

10. There shall be payable to the King out of the Consolidated Revenue Fund of the Union for the salary of the

Governor-General an annual sum of ten thousand pounds. The salary of the Governor-General shall not be altered during his continuance in office.

Application of Act to Governor-General.

11. The provisions of this Act relating to the Governor-General extend and apply to the Governor-General for the time being or such person as the King may appoint to administer the government of the Union. The King may authorise the Governor-General to appoint any person to be his deputy within the Union during his temporary absence, and in that capacity to exercise for and on behalf of the Governor-General during such absence all such powers and authorities vested in the Governor-General as the Governor-General may assign to him, subject to any limitations expressed or directions given by the King; but the appointment of such deputy shall not affect the exercise by the Governor-General himself of any power or function.

Executive Council.

12. There shall be an Executive Council to advise the Governor-General in the government of the Union, and the members of the council shall be chosen and summoned by the Governor-General and sworn as executive councillors, and shall hold office during his pleasure.

Meaning of Governor-General in Council.

13. The provisions of this Act referring to the Governor-General in Council shall be construed as referring to the Governor-General acting with the advice of the Executive Council.

Appointment of ministers

14. The Governor-General may appoint officers not exceeding ten in number to administer such departments of State of the Union as the Governor-General in Council may establish; such officers shall hold office during the pleasure of the Governor-General. They shall be members of the Executive Council and shall be the King's ministers of State for the Union. After the first general election of members of the House of Assembly, as hereinafter provided, no minister shall hold office for a longer period than three months unless he is or becomes a member of either House of Parliament.

Appointment and removal of officers.

15. The appointment and removal of all officers of the public service of the Union shall be vested in the Governor-General in Council, unless the appointment is delegated by the Governor-General in Council or by this Act or by a law of Parliament to some other authority.

Transfer of executive powers to Governor-General in Council.

16. All powers, authorities, and functions which at the establishment of the Union are in any of the Colonies vested in the Governor or in the Governor in Council, or in any authority of the Colony, shall, as far as the same continue in existence and are capable of being exercised after the establishment of the Union, be vested in the Governor-General or in the Governor-General in Council, or in the authority exercising similar powers under the Union, as the case may be, except such powers and

functions as are by this Act or may by a law of Parliament be vested in some other authority.

17. The command in chief of the naval and military forces within the Union is vested in the King or in the Governor-General as His representative. Command of naval and military forces.

18. Save as in section twenty-three excepted, Pretoria shall be the seat of Government of the Union. Seat of Government.

Part IV.

Parliament.

19. The legislative power of the Union shall be vested in the Parliament of the Union, herein called Parliament, which shall consist of the King, a Senate, and a House of Assembly. Legislative power.

20. The Governor-General may appoint such times for holding the sessions of Parliament as he thinks fit, and may also from time to time, by proclamation or otherwise, prorogue Parliament, and may in like manner dissolve the Senate and the House of Assembly simultaneously, or the House of Assembly alone: provided that the Senate shall not be dissolved within a period of ten years after the establishment of the Union, and provided further that the dissolution of the Senate shall not affect any senators nominated by the Governor-General in Council. Sessions of Parliament.

21. Parliament shall be summoned to meet not later than six months after the establishment of the Union. Summoning of first Parliament.

22. There shall be a session of Parliament once at least in every year, so that a period of twelve months shall not intervene between the last sitting of Parliament in one session and its first sitting in the next session. Annual session of Parliament.

23. Cape Town shall be the seat of the Legislature of the Union. Seat of Legislature.

Senate.

24. For ten years after the establishment of the Union the constitution of the Senate shall, in respect of the original provinces, be as follows:— Original constitution of Senate.

(i) Eight senators shall be nominated by the Governor-General in Council, and for each original province eight senators shall be elected in the manner hereinafter provided:

(ii) The senators to be nominated by the Governor-General in Council shall hold their seats for ten years. One-half of their number shall be selected on the ground mainly of their thorough acquaintance, by reason of their official experience or otherwise, with the reasonable wants and wishes of the coloured races in South Africa. If the seat of a senator so nominated shall

become vacant, the Governor-General in Council shall nominate another person to be a senator, who shall hold his seat for ten years:

(iii) After the passing of this Act, and before the day appointed for the establishment of the Union, the Governor of each of the Colonies shall summon a special sitting of both Houses of the Legislature, and the two Houses sitting together as one body and presided over by the Speaker of the Legislative Assembly shall elect eight persons to be senators for the province. Such senators shall hold their seats for ten years. If the seat of a senator so elected shall become vacant, the provincial council of the province for which such senator has been elected shall choose a person to hold the seat until the completion of the period for which the person in whose stead he is elected would have held his seat.

Subsequent constitution of Senate.

25. Parliament may provide for the manner in which the Senate shall be constituted after the expiration of ten years, and unless and until such provision shall have been made—

(i) the provisions of the last preceding section with regard to nominated senators shall continue to have effect;

(ii) eight senators for each province shall be elected by the members of the provincial council of such province together with the members of the House of Assembly elected for such province. Such senators shall hold their seats for ten years unless the Senate be sooner dissolved. If the seat of an elected senator shall become vacant, the members of the provincial council of the province, together with the members of the House of Assembly elected for such province, shall choose a person to hold the seat until the completion of the period for which the person in whose stead he is elected would have held his seat. The Governor-General in Council shall make regulations for the joint election of senators prescribed in this section.

Qualifications of senators.

26. The qualifications of a senator shall be as follows:—

He must—

(*a*) be not less than thirty years of age;

(*b*) be qualified to be registered as a voter for the election of members of the House of Assembly in one of the provinces;

(*c*) have resided for five years within the limits of the Union as existing at the time when he is elected or nominated, as the case may be;

(*d*) be a British subject of European descent;

(*e*) in the case of an elected senator, be the registered owner of immovable property within the Union of the value of not less than five hundred pounds over and above any special mortgages thereon.

For the purposes of this section, residence in, and property situated within, a colony before its incorporation in the Union shall be treated as residence in and property situated within the Union.

Appointment and tenure of office of President.

27. The Senate shall, before proceeding to the dispatch of any other business, choose a senator to be the President of the Senate, and as often as the office of President becomes vacant the Senate shall again choose a senator to be the President. The President shall cease to hold office if he ceases to be a senator. He may be removed from office by a vote of the Senate, or he may resign his office by writing under his hand addressed to the Governor-General.

Deputy President.

28. Prior to or during any absence of the President the Senate may choose a senator to perform his duties in his absence.

Resignation of senators.

29. A senator may, by writing under his hand addressed to the Governor-General, resign his seat, which thereupon shall become vacant. The Governor-General shall as soon as practicable cause steps to be taken to have the vacancy filled.

Quorum.

30. The presence of at least twelve senators shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

Voting in the Senate.

31. All questions in the Senate shall be determined by a majority of votes of senators present other than the President or the presiding senator, who shall, however, have and exercise a casting vote in the case of an equality of votes.

House of Assembly.

Constitution of House of Assembly.

32. The House of Assembly shall be composed of members directly chosen by the voters of the Union in electoral divisions delimited as hereinafter provided.

Original number of members.

33. The number of members to be elected in the original provinces at the first election and until the number is altered in accordance with the provisions of this Act shall be as follows:—

Cape of Good Hope - - -	Fifty-one.
Natal - - - -	Seventeen.
Transvaal - - - - -	Thirty-six.
Orange Free State - - -	Seventeen.

These numbers may be increased as provided in the next succeeding section, but shall not, in the case of any original province, be diminished until the total number of members of the House of Assembly in respect of the provinces herein provided for reaches one hundred and fifty, or until a period of ten years has elapsed after the establishment of the Union, whichever is the longer period.

Increase of number of members

34. The number of members to be elected in each province, as provided in section thirty-three, shall be increased from time to time as may be necessary in accordance with the following provisions:—

(i) The quota of the Union shall be obtained by dividing the total number of European male adults in the Union, as ascertained at the census of nineteen hundred and four, by the total number of members of the House of Assembly as constituted at the establishment of the Union:

(ii) In nineteen hundred and eleven, and every five years thereafter, a census of the European population of the Union shall be taken for the purposes of this Act:

(iii) After any such census the number of European male adults in each province shall be compared with the number of European male adults as ascertained at the census of nineteen hundred and four, and, in the case of any province where an increase is shown, as compared with the census of nineteen hundred and four, equal to the quota of the Union or any multiple thereof, the number of members allotted to such province in the last preceding section shall be increased by an additional member or an additional number of members equal to such multiple, as the case may be:

(iv) Notwithstanding anything herein contained, no additional member shall be allotted to any province until the total number of European male adults in such province exceeds the quota of the Union multiplied by the number of members allotted to such province for the time being, and thereupon additional members shall be allotted to such province in respect only of such excess:

(v) As soon as the number of members of the House of Assembly to be elected in the original provinces in accordance with the preceding subsections reaches the total of one hundred and fifty, such total shall not be further increased unless and until Parliament otherwise provides; and subject to the provisions of the last preceding section the distribution of members among the provinces shall be such that the proportion between the number of members to be elected at any time in each province and the number of European male adults in such province, as ascertained at the last preceding census, shall as far as possible be identical throughout the Union:

(vi) "Male adults" in this Act shall be taken to mean males of twenty-one years of age or upwards not being members of His Majesty's regular forces on full pay:

(vii) For the purposes of this Act the number of European male adults, as ascertained at the census of nineteen hundred and four, shall be taken to be—

For the Cape of Good Hope - -	167,546
For Natal - - - - - -	34,784
For the Transvaal - - -	106,493
For the Orange Free State - - -	41,014

Qualifications of voters.

35.—(1) Parliament may by law prescribe the qualifications which shall be necessary to entitle persons to vote at the election of members of the House of Assembly, but no such law shall disqualify any person in the province of the Cape of Good Hope who, under the laws existing in the Colony of the Cape of Good Hope at the establishment of the Union, is or may become capable of being registered as a voter from being so registered in the province of the Cape of Good Hope by reason of his race or colour only, unless the Bill be passed by both Houses of Parliament sitting together, and at the third reading be agreed to by not less than two-thirds of the total number of members of both Houses. A Bill so passed at such joint sitting shall be taken to have been duly passed by both Houses of Parliament.

(2) No person who at the passing of any such law is registered as a voter in any province shall be removed from the register by reason only of any disqualification based on race or colour.

Application of existing qualifications.

36. Subject to the provisions of the last preceding section, the qualifications of parliamentary voters, as existing in the several Colonies at the establishment of the Union, shall be the qualifications necessary to entitle persons in the corresponding provinces to vote for the election of members of the House of Assembly: Provided that no member of His Majesty's regular forces on full pay shall be entitled to be registered as a voter.

Elections.

37.—(1) Subject to the provisions of this Act, the laws in force in the Colonies at the establishment of the Union relating to elections for the more numerous Houses of Parliament in such Colonies respectively, the registration of voters, the oaths or declarations to be taken by voters, returning officers, the powers and duties of such officers, the proceedings in connection with elections, election expenses, corrupt and illegal practices, the hearing of election petitions and the proceedings incident thereto, the vacating of seats of members, and the proceedings necessary for filling such vacancies, shall, mutatis mutandis, apply to the elections in the respective provinces of members of the House of Assembly.

(2) Notwithstanding anything to the contrary in any of the said laws contained, at any general election of members of the House of Assembly, all polls shall be taken on one and the same day in all the electoral divisions throughout the Union, such day to be appointed by the Governor-General in Council.

Commission for delimitation of electoral divisions.

38. Between the date of the passing of this Act and the date fixed for the establishment of the Union, the Governor in Council of each of the Colonies shall nominate a judge of any of the Supreme or High Courts of the Colonies, and the judges so nominated shall, upon acceptance by them respectively of such nomination, form a joint commission, without any further appointment, for the purpose of the first division of the provinces into electoral divisions. The High Commissioner for South Africa shall forthwith convene a meeting of such commission at such time and place in one of the Colonies as he shall fix and determine. At such meeting the Commissioners shall elect one of their number as chairman of such commission. They shall thereupon proceed with the discharge of their duties under this Act, and may appoint persons in any province to assist them or to act as assessors to the commission or with individual members thereof for the purpose of inquiring into matters connected with the duties of the commission. The commission may regulate their own procedure and may act by a majority of their number. All moneys required for the payment of the expenses of such commission before the establishment of the Union in any of the Colonies shall be provided by the Governor in Council of such Colony. In case of the death, resignation, or other disability of any of the Commissioners before the establishment of the Union, the Governor in Council of the Colony in respect of which he was nominated shall forthwith nominate another judge to fill the vacancy. After the establishment of the Union the expenses of the commission shall be defrayed by the Governor-General in Council, and any vacancies shall be filled by him.

Electoral divisions.

39. The commission shall divide each province into electoral divisions, each returning one member.

Method of dividing provinces into electoral divisions.

40.—(1) For the purpose of such division as is in the last preceding section mentioned, the quota of each province shall be obtained by dividing the total number of voters in the province, as ascertained at the last registration of voters, by the number of members of the House of Assembly to be elected therein.

(2) Each province shall be divided into electoral divisions in such a manner that each such division shall, subject to the provisions of subsection (3) of this section, contain a number of voters, as nearly as may be, equal to the quota of the province.

(3) The Commissioners shall give due consideration to—

(*a*) community or diversity of interests;
(*b*) means of communication;
(*c*) physical features;
(*d*) existing electoral boundaries;
(*e*) sparsity or density of population;

in such manner that, while taking the quota of voters as the basis of division, the Commissioners may, whenever they deem it necessary, depart therefrom, but in no case to any greater extent than fifteen per centum more or fifteen per centum less than the quota.

Alteration of electoral divisions.

41. As soon as may be after every quinquennial census, the Governor-General in Council shall appoint a commission consisting of three judges of the Supreme Court of South Africa to carry out any re-division which may have become necessary as between the different electoral divisions in each province, and to provide for the allocation of the number of members to which such province may have become entitled under the provisions of this Act. In carrying out such re-division and allocation the commission shall have the same powers and proceed upon the same principles as are by this Act provided in regard to the original division.

Powers and duties of commission for delimiting electoral divisions

42.—(1) The joint commission constituted under section thirty-eight, and any subsequent commission appointed under the provisions of the last preceding section, shall submit to the Governor-General in Council—

(*a*) a list of electoral divisions, with the names given to them by the commission and a description of the boundaries of every such division:

(*b*) a map or maps showing the electoral divisions into which the provinces have been divided:

(*c*) such further particulars as they consider necessary.

(2) The Governor-General in Council may refer to the commission for its consideration any matter relating to such list or arising out of the powers or duties of the commission.

(3) The Governor-General in Council shall proclaim the names and boundaries of the electoral divisions as finally settled and certified by the commission, or a majority thereof, and thereafter, until there shall be a re-division, the electoral divisions as named and defined shall be the electoral divisions of the Union in the provinces.

(4) If any discrepancy shall arise between the description of the divisions and the aforesaid map or maps, the description shall prevail.

Date from which alteration of electoral divisions to take effect.

43. Any alteration in the number of members of the House of Assembly to be elected in the several provinces, and any re-division of the provinces into electoral divisions, shall, in respect of the election of members of the House of Assembly, come into operation at the next general election held after the completion of the re-division or of any allocation consequent upon such alteration, and not earlier.

Qualifications of members of House of Assembly.

44. The qualifications of a member of the House of Assembly shall be as follow:—

He must—

(*a*) be qualified to be registered as a voter for the election of members of the House of Assembly in one of the provinces;

(*b*) have resided for five years within the limits of the Union as existing at the time when he is elected;

(*c*) be a British subject of European descent.

For the purposes of this section, residence in a colony before its incorporation in the Union shall be treated as residence in the Union.

Duration.

45. Every House of Assembly shall continue for five years from the first meeting thereof, and no longer, but may be sooner dissolved by the Governor-General.

Appointment and tenure of office of Speaker.

46. The House of Assembly shall, before proceeding to the despatch of any other business, choose a member to be the Speaker of the House, and, as often as the office of Speaker becomes vacant, the House shall again choose a member to be the Speaker. The Speaker shall cease to hold his office if he ceases to be a member. He may be removed from office by a vote of the House, or he may resign his office or his seat by writing under his hand addressed to the Governor-General.

Deputy Speaker.

47. Prior to or during the absence of the Speaker, the House of Assembly may choose a member to perform his duties in his absence.

Resignation of members.

48. A member may, by writing under his hand addressed to the Speaker, or, if there is no Speaker, or if the Speaker is absent from the Union, to the Governor-General, resign his seat, which shall thereupon become vacant.

Quorum.

49. The presence of at least thirty members of the House of Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers.

Voting in House of Assembly.

50. All questions in the House of Assembly shall be determined by a majority of votes of members present other than the Speaker or the presiding member, who shall, however, have and exercise a casting vote in the case of an equality of votes.

Both Houses of Parliament.

Oath or affirmation of allegiance.

51. Every senator and every member of the House of Assembly shall, before taking his seat, make and subscribe before the Governor-General, or some person authorised by him, an oath or affirmation of allegiance in the following form:—

Oath.

I, *A.B.*, do swear that I will be faithful and bear true allegiance to His Majesty [*here insert the name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being*] His [*or Her*] heirs and successors according to law. So help me God.

Affirmation.

I, *A.B.*, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to His Majesty [*here insert the name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being*] His [*or Her*] heirs and successors according to law.

Member of either House disqualified for being member of the other House.

52. A member of either House of Parliament shall be incapable of being chosen or of sitting as a member of the other House: Provided that every minister of State who is a member of either House of Parliament shall have the right to sit and speak in the Senate and the House of Assembly, but shall vote only in the House of which he is a member.

Disqualifications for being a member of either House.

53. No person shall be capable of being chosen or of sitting as a senator or as a member of the House of Assembly who—

(*a*) has been at any time convicted of any crime or offence for which he shall have been sentenced to imprisonment without the option of a fine for a term of not less than twelve months, unless he shall have received a grant of amnesty or a free pardon, or unless such imprisonment shall have expired at least five years before the date of his election; or

(*b*) is an unrehabilitated insolvent; or

(*c*) is of unsound mind, and has been so declared by a competent court; or

(*d*) holds any office of profit under the Crown within the Union: Provided that the following persons shall not be deemed to hold an office of profit under the Crown for the purposes of this subsection:

(1) a minister of State for the Union;

(2) a person in receipt of a pension from the Crown;

(3) an officer or member of His Majesty's naval or military forces on retired or half pay, or an officer or member of the naval or military forces of the Union whose services are not wholly employed by the Union.

Vacation of seats.

54. If a senator or member of the House of Assembly—

(*a*) becomes subject to any of the disabilities mentioned in the last preceding section; or

(*b*) ceases to be qualified as required by law; or

(*c*) fails for a whole ordinary session to attend without the special leave of the Senate or the House of Assembly, as the case may be;

his seat shall thereupon become vacant.

Penalty for sitting or voting when disqualified.

55. If any person who is by law incapable of sitting as a senator or member of the House of Assembly shall, while so disqualified and knowing or having reasonable grounds for knowing that he is so disqualified, sit or vote as a member of the Senate or the House of Assembly, he shall be liable to a penalty of one hundred pounds for each day on which he shall so sit or vote, to be recovered on behalf of the Treasury of the Union by action in any Superior Court of the Union.

Allowances of members.

56. Each senator and each member of the House of Assembly shall, under such rules as shall be framed by Parliament, receive

an allowance of four hundred pounds a year, to be reckoned from the date on which he takes his seat: Provided that for every day of the session on which he is absent there shall be deducted from such allowance the sum of three pounds: Provided further that no such allowance shall be paid to a Minister receiving a salary under the Crown or to the President of the Senate or the Speaker of the House of Assembly. A day of the session shall mean in respect of a member any day during a session on which the House of which he is a member or any committee of which he is a member meets.

Privileges of Houses of Parliament.

57. The powers, privileges, and immunities of the Senate and of the House of Assembly and of the members and committees of each House shall, subject to the provisions of this Act, be such as are declared by Parliament, and until declared shall be those of the House of Assembly of the Cape of Good Hope and of its members and committees at the establishment of the Union.

Rules of procedure.

58. Each House of Parliament may make rules and orders with respect to the order and conduct of its business and proceedings. Until such rules and orders shall have been made the rules and orders of the Legislative Council and House of Assembly of the Cape of Good Hope at the establishment of the Union shall mutatis mutandis apply to the Senate and House of Assembly respectively. If a joint sitting of both Houses of Parliament is required under the provisions of this Act, it shall be convened by the Governor-General by message to both Houses. At any such joint sitting the Speaker of the House of Assembly shall preside and the rules of the House of Assembly shall, as far as practicable, apply.

Powers of Parliament.

Powers of Parliament.

59. Parliament shall have full power to make laws for the peace, order, and good government of the Union.

Money Bills.

60.—(1) Bills appropriating revenue or moneys or imposing taxation shall originate only in the House of Assembly. But a Bill shall not be taken to appropriate revenue or moneys or to impose taxation by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties.

(2) The Senate may not amend any Bills so far as they impose taxation or appropriate revenue or moneys for the services of the Government.

(3) The Senate may not amend any Bill so as to increase any proposed charges or burden on the people.

Appropriation Bills.

61. Any Bill which appropriates revenue or moneys for the ordinary annual services of the Government shall deal only with such appropriation.

Recommendation of money votes.

62. The House of Assembly shall not originate or pass any vote, resolution, address, or Bill for the appropriation of any

part of the public revenue or of any tax or impost to any purpose unless such appropriation has been recommended by message from the Governor-General during the session in which such vote, resolution, address, or Bill is proposed.

Disagreements between the two Houses.

63. If the House of Assembly passes any Bill and the Senate rejects or fails to pass it or passes it with amendments to which the House of Assembly will not agree, and if the House of Assembly in the next session again passes the Bill with or without any amendments which have been made or agreed to by the Senate and the Senate rejects or fails to pass it or passes it with amendments to which the House of Assembly will not agree, the Governor-General may during that session convene a joint sitting of the members of the Senate and House of Assembly. The members present at any such joint sitting may deliberate and shall vote together upon the Bill as last proposed by the House of Assembly and upon amendments, if any, which have been made therein by one House of Parliament and not agreed to by the other; and any such amendments which are affirmed by a majority of the total number of members of the Senate and House of Assembly present at such sitting shall be taken to have been carried, and if the Bill with the amendments, if any, is affirmed by a majority of the members of the Senate and House of Assembly present at such sitting, it shall be taken to have been duly passed by both Houses of Parliament: Provided that, if the Senate shall reject or fail to pass any Bill dealing with the appropriation of revenue or moneys for the public service, such joint sitting may be convened during the same session in which the Senate so rejects or fails to pass such Bill.

Royal Assent to Bills.

64. When a Bill is presented to the Governor-General for the King's Assent, he shall declare according to his discretion, but subject to the provisions of this Act, and to such instructions as may from time to time be given in that behalf by the King, that he assents in the King's name, or that he withholds assent, or that he reserves the Bill for the signification of the King's pleasure. All Bills repealing or amending this section or any of the provisions of Chapter IV. under the heading "House of Assembly," and all Bills abolishing provincial councils or abridging the powers conferred on provincial councils under section eighty-five, otherwise than in accordance with the provisions of that section, shall be so reserved. The Governor-General may return to the House in which it originated any Bill so presented to him, and may transmit therewith any amendments which he may recommend, and the House may deal with the recommendation.

Disallowance of Bills.

65. The King may disallow any law within one year after it has been assented to by the Governor-General, and such disallowance, on being made known by the Governor-General by speech or message to each of the Houses of Parliament or

by proclamation, shall annul the law from the day when the disallowance is so made known.

Reservation of Bills.

66. A Bill reserved for the King's pleasure shall not have any force unless and until, within one year from the day on which it was presented to the Governor-General for the King's Assent, the Governor-General makes known by speech or message to each of the Houses of Parliament or by proclamation that it has received the King's Assent.

Signature and enrolment of Acts.

67. As soon as may be after any law shall have been assented to in the King's name by the Governor-General, or having been reserved for the King's pleasure shall have received his assent, the Clerk of the House of Assembly shall cause two fair copies of such law, one being in the English and the other in the Dutch language (one of which copies shall be signed by the Governor-General), to be enrolled of record in the office of the Registrar of the Appellate Division of the Supreme Court of South Africa; and such copies shall be conclusive evidence as to the provisions of every such law, and in case of conflict between the two copies thus deposited that signed by the Governor-General shall prevail.

PART V.

THE PROVINCES.

Administrators.

Appointment and tenure of office of provincial administrators.

68.—(1) In each province there shall be a chief executive officer appointed by the Governor-General in Council, who shall be styled the administrator of the province, and in whose name all executive acts relating to provincial affairs therein shall be done.

(2) In the appointment of the administrator of any province, the Governor-General in Council shall, as far as practicable, give preference to persons resident in such province.

(3) Such administrator shall hold office for a term of five years and shall not be removed before the expiration thereof except by the Governor-General in Council for cause assigned, which shall be communicated by message to both Houses of Parliament within one week after the removal, if Parliament be then sitting, or, if Parliament be not sitting, then within one week after the commencement of the next ensuing session.

(4) The Governor-General in Council may from time to time appoint a deputy administrator to execute the office and functions of the administrator during his absence, illness, or other inability.

Salaries of administrators.

69. The salaries of the administrators shall be fixed and provided by Parliament, and shall not be reduced during their respective terms of office.

Provincial Councils.

Constitution of provincial councils.

70.—(1) There shall be a provincial council in each province consisting of the same number of members as are elected in the province for the House of Assembly: Provided that, in any province whose representatives in the House of Assembly shall be less than twenty-five in number, the provincial council shall consist of twenty-five members.

(2) Any person qualified to vote for the election of members of the provincial council shall be qualified to be a member of such council.

Qualification of provincial councillors.

71.—(1) The members of the provincial council shall be elected by the persons qualified to vote for the election of members of the House of Assembly in the province voting in the same electoral divisions as are delimited for the election of members of the House of Assembly: Provided that, in any province in which less than twenty-five members are elected to the House of Assembly, the delimitation of the electoral divisions, and any necessary re-allocation of members or adjustment of electoral divisions, shall be effected by the same commission and on the same principles as are prescribed in regard to the electoral divisions for the House of Assembly.

(2) Any alteration in the number of members of the provincial council, and any re-division of the province into electoral divisions, shall come into operation at the next general election for such council held after the completion of such re-division, or of any allocation consequent upon such alteration, and not earlier.

(3) The election shall take place at such times as the administrator shall by proclamation direct, and the provisions of section thirty-seven applicable to the election of members of the House of Assembly shall mutatis mutandis apply to such elections.

Application of sections 53 to 55 to provincial councillors.

72. The provisions of sections fifty-three, fifty-four, and fifty-five, relative to members of the House of Assembly, shall mutatis mutandis apply to members of the provincial councils: Provided that any member of a provincial council who shall become a member of either House of Parliament shall thereupon cease to be a member of such provincial council.

Tenure of office by provincial councillors.

73. Each provincial council shall continue for three years from the date of its first meeting, and shall not be subject to dissolution save by effluxion of time.

Sessions of provincial councils.

74. The administrator of each province shall by proclamation fix such times for holding the sessions of the provincial council as he may think fit, and may from time to time prorogue such council: Provided that there shall be a session of every provincial council once at least in every year, so that a period of twelve months shall not intervene between the last sitting of the council in one session and its first sitting in the next session.

Chairman of provincial councils.

75. The provincial council shall elect from among its members a chairman, and may make rules for the conduct of its proceedings. Such rules shall be transmitted by the administrator to the Governor-General, and shall have full force and effect unless and until the Governor-General in council shall express his disapproval thereof in writing addressed to the administrator.

Allowances of provincial councillors.

76. The members of the provincial council shall receive such allowances as shall be determined by the Governor-General in Council.

Freedom of speech in provincial councils.

77. There shall be freedom of speech in the provincial council, and no member shall be liable to any action or proceeding in any court by reason of his speech or vote in such council.

Executive Committees.

Provincial executive committees.

78.—(1) Each provincial council shall at its first meeting after any general election elect from among its members, or otherwise, four persons to form with the administrator, who shall be chairman, an executive committee for the province. The members of the executive committee other than the administrator shall hold office until the election of their successors in the same manner.

(2) Such members shall receive such remuneration as the provincial council, with the approval of the Governor-General in Council, shall determine.

(3) A member of the provincial council shall not be disqualified from sitting as a member by reason of his having been elected as a member of the executive committee.

(4) Any casual vacancy arising in the executive committee shall be filled by election by the provincial council if then in session or, if the council is not in session, by a person appointed by the executive committee to hold office temporarily pending an election by the council.

Right of administrator, &c. to take part in proceedings of provincial council.

79. The administrator and any other member of the executive committee of a province, not being a member of the provincial council, shall have the right to take part in the proceedings of the council, but shall not have the right to vote.

Powers of provincial executive committees.

80. The executive committee shall on behalf of the provincial council carry on the administration of provincial affairs. Until the first election of members to serve on the executive committee, such administration shall be carried on by the administrator. Whenever there are not sufficient members of the executive committee to form a quorum according to the rules of the committee, the administrator shall, as soon as practicable, convene a meeting of the provincial council for the purpose of electing members to fill the vacancies, and until such

election the administrator shall carry on the administration of provincial affairs.

Transfer of powers to provincial executive committees.

81. Subject to the provisions of this Act, all powers, authorities, and functions which at the establishment of the Union are in any of the Colonies vested in or exercised by the Governor or the Governor in Council, or any minister of the Colony, shall after such establishment be vested in the executive committee of the province so far as such powers, authorities, and functions relate to matters in respect of which the provincial council is competent to make ordinances.

Voting in executive committees.

82. Questions arising in the executive committee shall be determined by a majority of votes of the members present, and, in case of an equality of votes, the administrator shall have also a casting vote. Subject to the approval of the Governor-General in Council, the executive committee may make rules for the conduct of its proceedings.

Tenure of office by members of executive committees.

83. Subject to the provisions of any law passed by Parliament regulating the conditions of appointment, tenure of office, retirement and superannuation of public officers, the executive committee shall have power to appoint such officers as may be necessary, in addition to officers assigned to the province by the Governor-General in Council under the provisions of this Act, to carry out the services entrusted to them and to make and enforce regulations for the organisation and discipline of such officers.

Power of administrator to act on behalf of Governor-General in Council.

84. In regard to all matters in respect of which no powers are reserved or delegated to the provincial council, the administrator shall act on behalf of the Governor-General in Council when required to do so, and in such matters the administrator may act without reference to the other members of the executive committee.

Powers of Provincial Councils.

Powers of provincial councils.

85. Subject to the provisions of this Act and the assent of the Governor-General in Council as hereinafter provided, the provincial council may make ordinances in relation to matters coming within the following classes of subjects (that is to say):—

(i) Direct taxation within the province in order to raise a revenue for provincial purposes:

(ii) The borrowing of money on the sole credit of the province with the consent of the Governor-General in Council and in accordance with regulations to be framed by Parliament:

(iii) Education, other than higher education, for a period of five years and thereafter until Parliament otherwise provides:

(iv) Agriculture to the extent and subject to the conditions to be defined by Parliament:

(v) The establishment, maintenance, and management of hospitals and charitable institutions:

(vi) Municipal institutions, divisional councils, and other local institutions of a similar nature:

(vii) Local works and undertakings within the province, other than railways and harbours and other than such works as extend beyond the borders of the province, and subject to the power of Parliament to declare any work a national work and to provide for its construction by arrangement with the provincial council or otherwise:

(viii) Roads, outspans, ponts, and bridges, other than bridges connecting two provinces:

(ix) Markets and pounds:

(x) Fish and game preservation:

(xi) The imposition of punishment by fine, penalty, or imprisonment for enforcing any law or any ordinance of the province made in relation to any matter coming within any of the classes of subjects enumerated in this section:

(xii) Generally all matters which, in the opinion of the Governor-General in Council, are of a merely local or private nature in the province:

(xiii) All other subjects in respect of which Parliament shall by any law delegate the power of making ordinances to the provincial council.

Effect of provincial ordinances.

86. Any ordinance made by a provincial council shall have effect in and for the province as long and as far only as it is not repugnant to any Act of Parliament.

Recommendations to Parliament.

87. A provincial council may recommend to Parliament the passing of any law relating to any matter in respect of which such council is not competent to make ordinances.

Power to deal with matters proper to be dealt with by private Bill legislation.

88. In regard to any matter which requires to be dealt with by means of a private Act of Parliament, the provincial council of the province to which the matter relates may, subject to such procedure as shall be laid down by Parliament, take evidence by means of a Select Committee or otherwise for and against the passing of such law, and, upon receipt of a report from such council, together with the evidence upon which it is founded, Parliament may pass such Act without further evidence being taken in support thereof.

Constitution of provincial revenue fund.

89. A provincial revenue fund shall be formed in every province, into which shall be paid all revenues raised by or accruing to the provincial council and all moneys paid over by the Governor-General in Council to the provincial council. Such fund shall be appropriated by the provincial council by ordinance for the purposes of the provincial administration generally, or, in the case of moneys paid over by the Governor-General in Council for particular purposes, then for such purposes,

but no such ordinance shall be passed by the provincial council unless the administrator shall have first recommended to the council to make provision for the specific service for which the appropriation is to be made. No money shall be issued from the provincial revenue fund except in accordance with such appropriation and under warrant signed by the administrator: Provided that, until the expiration of one month after the first meeting of the provincial council, the administrator may expend such moneys as may be necessary for the services of the province.

Assent to provincial ordinances.

90. When a proposed ordinance has been passed by a provincial council it shall be presented by the administrator to the Governor-General in Council for his assent. The Governor-General in Council shall declare within one month from the presentation to him of the proposed ordinance that he assents thereto, or that he withholds assent, or that he reserves the proposed ordinance for further consideration. A proposed ordinance so reserved shall not have any force unless and until, within one year from the day on which it was presented to the Governor-General in Council, he makes known by proclamation that it has received his assent.

Effect and enrolment of ordinances.

91. An ordinance assented to by the Governor-General in Council and promulgated by the administrator shall, subject to the provisions of this Act, have the force of law within the province. The administrator shall cause two fair copies of every such ordinance, one being in the English and the other in the Dutch language (one of which copies shall be signed by the Governor-General), to be enrolled of record in the office of the Registrar of the Appellate Division of the Supreme Court of South Africa; and such copies shall be conclusive evidence as to the provisions of such ordinance, and, in case of conflict between the two copies thus deposited, that signed by the Governor-General shall prevail.

Miscellaneous.

Audit of provincial accounts.

92.—(1) In each province there shall be an auditor of accounts to be appointed by the Governor-General in Council.

(2) No such auditor shall be removed from office except by the Governor-General in Council for cause assigned, which shall be communicated by message to both Houses of Parliament within one week after the removal, if Parliament be then sitting, and, if Parliament be not sitting, then within one week after the commencement of the next ensuing session.

(3) Each such auditor shall receive out of the Consolidated Revenue Fund such salary as the Governor-General in Council, with the approval of Parliament, shall determine.

(4) Each such auditor shall examine and audit the accounts of the province to which he is assigned subject to such regulations and orders as may be framed by the Governor-General in

Council and approved by Parliament, and no warrant signed by the administrator authorising the issuing of money shall have effect unless countersigned by such auditor.

Continuation of powers of divisional and municipal councils.

93. Notwithstanding anything in this Act contained, all powers, authorities, and functions lawfully exercised at the establishment of the Union by divisional or municipal councils, or any other duly constituted local authority, shall be and remain in force until varied or withdrawn by Parliament or by a provincial council having power in that behalf.

Seats of provincial government.

94. The seats of provincial government shall be—

For the Cape of Good Hope	-	Cape Town.
For Natal - -	-	Pietermaritzburg.
For the Transvaal -	-	Pretoria.
For the Orange Free State	-	Bloemfontein.

PART VI.

THE SUPREME COURT OF SOUTH AFRICA.

Constitution of Supreme Court.

95. There shall be a Supreme Court of South Africa consisting of a Chief Justice of South Africa, the ordinary judges of appeal, and the other judges of the several divisions of the Supreme Court of South Africa in the provinces.

Appellate Division of Supreme Court.

96. There shall be an Appellate Division of the Supreme Court of South Africa, consisting of the Chief Justice of South Africa, two ordinary judges of appeal, and two additional judges of appeal. Such additional judges of appeal shall be assigned by the Governor-General in Council to the Appellate Division from any of the provincial or local divisions of the Supreme Court of South Africa, but shall continue to perform their duties as judges of their respective divisions when their attendance is not required in the Appellate Division.

Filling of temporary vacancies in Appellate Division.

97. The Governor-General in Council may, during the absence, illness, or other incapacity of the Chief Justice of South Africa, or of any ordinary or additional judge of appeal, appoint any other judge of the Supreme Court of South Africa to act temporarily as such chief justice, ordinary judge of appeal, or additional judge of appeal, as the case may be.

Constitution of provincial and local divisions of Supreme Court.

98.—(1) The several supreme courts of the Cape of Good Hope, Natal, and the Transvaal, and the High Court of the Orange River Colony shall, on the establishment of the Union, become provincial divisions of the Supreme Court of South Africa within their respective provinces, and shall each be presided over by a judge-president.

(2) The court of the eastern districts of the Cape of Good Hope, the High Court of Griqualand, the High Court of Witwatersrand, and the several circuit courts, shall become local divisions of the Supreme Court of South Africa within

the respective areas of their jurisdiction as existing at the establishment of the Union.

(3) The said provincial and local divisions, referred to in this Act as superior courts, shall, in addition to any original jurisdiction exercised by the corresponding courts of the Colonies at the establishment of the Union, have jurisdiction in all matters—

(*a*) in which the Government of the Union or a person suing or being sued on behalf of such Government is a party:

(*b*) in which the validity of any provincial ordinance shall come into question.

(4) Unless and until Parliament shall otherwise provide, the said superior courts shall mutatis mutandis have the same jurisdiction in matters affecting the validity of elections of members of the House of Assembly and provincial councils as the corresponding courts of the Colonies have at the establishment of the Union in regard to parliamentary elections in such Colonies respectively.

Continuation in office of existing judges.

99. All judges of the supreme courts of the Colonies, including the High Court of the Orange River Colony, holding office at the establishment of the Union shall on such establishment become judges of the Supreme Court of South Africa, assigned to the divisions of the Supreme Court in the respective provinces, and shall retain all such rights in regard to salaries and pensions as they may possess at the establishment of the Union. The Chief Justices of the Colonies holding office at the establishment of the Union shall on such establishment become the Judges-President of the divisions of the Supreme Court in the respective provinces, but shall so long as they hold that office retain the title of Chief Justice of their respective provinces.

Appointment and remuneration of judges.

100. The Chief Justice of South Africa, the ordinary judges of appeal, and all other judges of the Supreme Court of South Africa to be appointed after the establishment of the Union, shall be appointed by the Governor-General in Council, and shall receive such remuneration as Parliament shall prescribe, and their remuneration shall not be diminished during their continuance in office.

Tenure of office by judges.

101. The Chief Justice of South Africa and other judges of the Supreme Court of South Africa shall not be removed from office except by the Governor-General in Council on an address from both Houses of Parliament in the same session praying for such removal on the ground of misbehaviour or incapacity.

Reduction in number of judges.

102. Upon any vacancy occurring in any division of the Supreme Court of South Africa, other than the Appellate Division, the Governor-General in Council may, in case he shall consider that the number of judges of such court may with

advantage to the public interest be reduced, postpone filling the vacancy until Parliament shall have determined whether such reduction shall take place.

Appeals to Appellate Division.

103. In every civil case in which, according to the law in force at the establishment of the Union, an appeal might have been made to the Supreme Court of any of the Colonies from a Superior Court in any of the Colonies, or from the High Court of Southern Rhodesia, the appeal shall be made only to the Appellate Division, except in cases of orders or judgments given by a single judge, upon applications by way of motion or petition or on summons for provisional sentence or judgments as to costs only, which by law are left to the discretion of the court. The appeal from any such orders or judgments, as well as any appeal in criminal cases from any such Superior Court, or the special reference by any such court of any point of law in a criminal case, shall be made to the provincial division corresponding to the court which before the establishment of the Union would have had jurisdiction in the matter. There shall be no further appeal against any judgment given on appeal by such provincial division except to the Appellate Division, and then only if the Appellate Division shall have given special leave to appeal.

Existing appeals.

104. In every case, civil or criminal, in which at the establishment of the Union an appeal might have been made from the Supreme Court of any of the Colonies or from the High Court of the Orange River Colony to the King in Council, the appeal shall be made only to the Appellate Division: Provided that the right of appeal in any civil suit shall not be limited by reason only of the value of the matter in dispute or the amount claimed or awarded in such suit.

Appeals from inferior courts to provincial divisions.

105. In every case, civil or criminal, in which at the establishment of the Union an appeal might have been made from a court of resident magistrate or other inferior court to a superior court in any of the Colonies, the appeal shall be made to the corresponding division of the Supreme Court of South Africa; but there shall be no further appeal against any judgment given on appeal by such division except to the Appellate Division, and then only if the Appellate Division shall have given special leave to appeal.

Provisions as to appeals to the King in Council.

106. There shall be no appeal from the Supreme Court of South Africa or from any division thereof to the King in Council, but nothing herein contained shall be construed to impair any right which the King in Council may be pleased to exercise to grant special leave to appeal from the Appellate Division to the King in Council. Parliament may make laws limiting the matters in respect of which such special leave may be asked, but Bills containing any such limitation shall be reserved by the Governor-General for the signification of His Majesty's pleasure: Provided that nothing in this section shall

affect any right of appeal to His Majesty in Council from any judgment given by the Appellate Division of the Supreme Court under or in virtue of the Colonial Courts of Admiralty Act, 1890. 53 & 54 Vict. c. 27.

107. The Chief Justice of South Africa and the ordinary judges of appeal may, subject to the approval of the Governor-General in Council, make rules for the conduct of the proceedings of the Appellate Division and prescribing the time and manner of making appeals thereto. Until such rules shall have been promulgated, the rules in force in the Supreme Court of the Cape of Good Hope at the establishment of the Union shall mutatis mutandis apply. Rules of procedure in Appellate Division.

108. The chief justice and other judges of the Supreme Court of South Africa may, subject to the approval of the Governor-General in Council, frame rules for the conduct of the proceedings of the several provincial and local divisions. Until such rules shall have been promulgated, the rules in force at the establishment of the Union in the respective courts which become divisions of the Supreme Court of South Africa shall continue to apply therein. Rules of procedure in provincial and local divisions.

109. The Appellate Division shall sit in Bloemfontein, but may from time to time for the convenience of suitors hold its sittings at other places within the Union. Place of sittings of Appellate Division.

110. On the hearing of appeals from a court consisting of two or more judges, five judges of the Appellate Division shall form a quorum, but, on the hearing of appeals from a single judge, three judges of the Appellate Division shall form a quorum. No judge shall take part in the hearing of any appeal against the judgment given in a case heard before him. Quorum for hearin appeals.

111. The process of the Appellate Division shall run throughout the Union, and all its judgments or orders shall have full force and effect in every province, and shall be executed in like manner as if they were original judgments or orders of the provincial division of the Supreme Court of South Africa in such province. Jurisdiction of Appellate Division.

112. The registrar of every provincial division of the Supreme Court of South Africa, if thereto requested by any party in whose favour any judgment or order has been given or made by any other division, shall, upon the deposit with him of an authenticated copy of such judgment or order and on proof that the same remains unsatisfied, issue a writ or other process for the execution of such judgment or order, and thereupon such writ or other process shall be executed in like manner as if it had been originally issued from the division of which he is registrar. Execution of processes of provincial divisions.

113. Any provincial or local division of the Supreme Court of South Africa to which it may be made to appear that any civil suit pending therein may be more conveniently or fitly Transfer of suits from one provincial or local division to another.

heard or determined in another division may order the same to be removed to such other division, and thereupon such last-mentioned division may proceed with such suit in like manner as if it had been originally commenced therein.

Registrar and officers of Appellate Division.

114. The Governor-General in Council may appoint a registrar of the Appellate Division and such other officers thereof as shall be required for the proper dispatch of the business thereof.

Advocates and attorneys.

115.—(1) The laws regulating the admission of advocates and attorneys to practise before any superior court of any of the Colonies shall mutatis mutandis apply to the admission of advocates and attorneys to practise in the corresponding division of the Supreme Court of South Africa.

(2) All advocates and attorneys entitled at the establishment of the Union to practise in any superior court of any of the Colonies shall be entitled to practise as such in the corresponding division of the Supreme Court of South Africa.

(3) All advocates and attorneys entitled to practise before any provincial division of the Supreme Court of South Africa shall be entitled to practise before the Appellate Division.

Pending suits.

116. All suits, civil or criminal, pending in any superior court of any of the Colonies at the establishment of the Union shall stand removed to the corresponding division of the Supreme Court of South Africa, which shall have jurisdiction to hear and determine the same, and all judgments and orders of any superior court of any of the Colonies given or made before the establishment of the Union shall have the same force and effect as if they had been given or made by the corresponding division of the Supreme Court of South Africa. All appeals to the King in Council which shall be pending at the establishment of the Union shall be proceeded with as if this Act had not been passed.

Part VII.

Finance and Railways.

Constitution of Consolidated Revenue Fund and Railway and Harbour Fund.

117. All revenues, from whatever source arising, over which the several Colonies have at the establishment of the Union power of appropriation, shall vest in the Governor-General in Council. There shall be formed a Railway and Harbour Fund, into which shall be paid all revenues raised or received by the Governor-General in Council from the administration of the railways, ports, and harbours, and such fund shall be appropriated by Parliament to the purposes of the railways, ports, and harbours in the manner prescribed by this Act. There shall also be formed a Consolidated Revenue Fund, into which shall be paid all other revenues raised or received by the Governor-General in Council, and such fund shall be appropriated by Parliament for the purposes of the Union in the manner prescribed by this Act, and subject to the charges imposed thereby.

Commission of inquiry into financial relations between Union and provinces.

118. The Governor-General in Council shall, as soon as may be after the establishment of the Union, appoint a commission, consisting of one representative from each province, and presided over by an officer from the Imperial Service, to institute an inquiry into the financial relations which should exist between the Union and the provinces. Pending the completion of that inquiry and until Parliament otherwise provides, there shall be paid annually out of the Consolidated Revenue Fund to the administrator of each province—

(*a*) an amount equal to the sum provided in the estimates for education, other than higher education, in respect of the financial year, 1908–9, as voted by the Legislature of the corresponding colony during the year nineteen hundred and eight;

(*b*) such further sums as the Governor-General in Council may consider necessary for the due performance of the services and duties assigned to the provinces respectively.

Until such inquiry shall be completed and Parliament shall have made other provision, the executive committees in the several provinces shall annually submit estimates of their expenditure for the approval of the Governor-General in Council, and no expenditure shall be incurred by any executive committee which is not provided for in such approved estimates.

Security for existing public debts.

119. The annual interest of the public debts of the Colonies and any sinking funds constituted by law at the establishment of the Union shall form a first charge on the Consolidated Revenue Fund.

Requirements for withdrawal of money from funds.

120. No money shall be withdrawn from the Consolidated Revenue Fund or the Railway and Harbour Fund except under appropriation made by law. But, until the expiration of two months after the first meeting of Parliament, the Governor-General in Council may draw therefrom and expend such moneys as may be necessary for the public service, and for railway and harbour administration respectively.

Transfer of Colonial property to the Union.

121. All stocks, cash, bankers' balances, and securities for money belonging to each of the Colonies at the establishment of the Union shall be the property of the Union: Provided that the balances of any funds raised at the establishment of the Union by law for any special purposes in any of the Colonies shall be deemed to have been appropriated by Parliament for the special purposes for which they have been provided.

Crown lands, &c.

122. Crown lands, public works, and all property throughout the Union, movable or immovable, and all rights of whatever description belonging to the several Colonies at the establishment of the Union, shall vest in the Governor-General in Council subject to any debt or liability specifically charged thereon.

Mines and minerals.

123. All rights in and to mines and minerals, and all rights in connection with the searching for, working for, or disposing

of, minerals or precious stones, which at the establishment of the Union are vested in the Government of any of the Colonies, shall on such establishment vest in the Governor-General in Council.

Assumption by Union of colonial debts.

124. The Union shall assume all debts and liabilities of the Colonies existing at its establishment, subject, notwithstanding any other provision contained in this Act, to the conditions imposed by any law under which such debts or liabilities were raised or incurred, and without prejudice to any rights of security or priority in respect of the payment of principal, interest, sinking fund, and other charges conferred on the creditors of any of the Colonies, and may, subject to such conditions and rights, convert, renew, or consolidate such debts.

Ports, harbours, and railways.

125. All ports, harbours, and railways belonging to the several Colonies at the establishment of the Union shall from the date thereof vest in the Governor-General in Council. No railway for the conveyance of public traffic, and no port, harbour, or similar work, shall be constructed without the sanction of Parliament.

Constitution of Harbour and Railway Board.

126. Subject to the authority of the Governor-General in Council, the control and management of the railways, ports, and harbours of the Union shall be exercised through a board consisting of not more than three commissioners, who shall be appointed by the Governor-General in Council, and a minister of State, who shall be chairman. Each commissioner shall hold office for a period of five years, but may be re-appointed. He shall not be removed before the expiration of his period of appointment, except by the Governor-General in Council for cause assigned, which shall be communicated by message to both Houses of Parliament within one week after the removal, if Parliament be then sitting, or, if Parliament be not sitting, then within one week after the commencement of the next ensuing session. The salaries of the commissioners shall be fixed by Parliament and shall not be reduced during their respective terms of office.

Administration of railways, ports, and harbours.

127. The railways, ports, and harbours of the Union shall be administered on business principles, due regard being had to agricultural and industrial development within the Union and promotion, by means of cheap transport, of the settlement of an agricultural and industrial population in the inland portions of all provinces of the Union. So far as may be, the total earnings shall be not more than are sufficient to meet the necessary outlays for working, maintenance, betterment, depreciation, and the payment of interest due on capital not being capital contributed out of railway or harbour revenue, and not including any sums payable out of the Consolidated Revenue Fund in accordance with the provisions of sections one hundred and thirty and one hundred and thirty-one. The amount of interest due on such capital invested shall be paid over from the Railway and Harbour Fund into the Consolidated Revenue Fund. The

Governor-General in Council shall give effect to the provisions of this section as soon as and at such time as the necessary administrative and financial arrangements can be made, but in any case shall give full effect to them before the expiration of four years from the establishment of the Union. During such period, if the revenues accruing to the Consolidated Revenue Fund are insufficient to provide for the general service of the Union, and if the earnings accruing to the Railway and Harbour Fund are in excess of the outlays specified herein, Parliament may by law appropriate such excess or any part thereof towards the general expenditure of the Union, and all sums so appropriated shall be paid over to the Consolidated Revenue Fund.

Establishment of fund for maintaining uniformity of railway rates.

128. Notwithstanding anything to the contrary in the last preceding section, the Board may establish a fund out of railway and harbour revenue to be used for maintaining, as far as may be, uniformity of rates notwithstanding fluctuations in traffic.

Management of railway and harbour balances.

129. All balances standing to the credit of any fund established in any of the Colonies for railway or harbour purposes at the establishment of the Union shall be under the sole control and management of the Board, and shall be deemed to have been appropriated by Parliament for the respective purposes for which they have been provided.

Construction of harbour and railway works.

130. Every proposal for the construction of any port or harbour works or of any line of railway, before being submitted to Parliament, shall be considered by the Board, which shall report thereon, and shall advise whether the proposed works or line of railway should or should not be constructed. If any such works or line shall be constructed contrary to the advice of the Board, and if the Board is of opinion that the revenue derived from the operation of such works or line will be insufficient to meet the costs of working and maintenance, and of interest on the capital invested therein, it shall frame an estimate of the annual loss which, in its opinion, will result from such operation. Such estimate shall be examined by the Controller and Auditor-General, and when approved by him the amount thereof shall be paid over annually from the Consolidated Revenue Fund to the Railway and Harbour Fund: Provided that, if in any year the actual loss incurred, as calculated by the Board and certified by the Controller and Auditor-General, is less than the estimate framed by the Board, the amount paid over in respect of that year shall be reduced accordingly so as not to exceed the actual loss incurred. In calculating the loss arising from the operation of any such work or line, the Board shall have regard to the value of any contributions of traffic to other parts of the system which may be due to the operation of such work or line.

Making good of deficiencies in Railway Fund in certain cases.

131. If the Board shall be required by the Governor-General in Council or under any Act of Parliament or resolution of both Houses of Parliament to provide any services or facilities either

gratuitously or at a rate of charge which is insufficient to meet the costs involved in the provision of such services or facilities, the Board shall at the end of each financial year present to Parliament an account approved by the Controller and Auditor-General, showing, as nearly as can be ascertained, the amount of the loss incurred by reason of the provision of such services and facilities, and such amount shall be paid out of the Consolidated Revenue Fund to the Railway and Harbour Fund.

Controller and Auditor-General.

132. The Governor-General in Council shall appoint a Controller and Auditor-General who shall hold office during good behaviour: provided that he shall be removed by the Governor-General in Council on an address praying for such removal presented to the Governor-General by both Houses of Parliament: provided further that when Parliament is not in session the Governor-General in Council may suspend such officer on the ground of incompetence or misbehaviour; and, when and so often as such suspension shall take place, a full statement of the circumstances shall be laid before both Houses of Parliament within fourteen days after the commencement of its next session; and, if an address shall at any time during the session of Parliament be presented to the Governor-General by both Houses praying for the restoration to office of such officer, he shall be restored accordingly; and if no such address be presented the Governor-General shall confirm such suspension and shall declare the office of Controller and Auditor-General to be, and it shall thereupon become, vacant. Until Parliament shall otherwise provide, the Controller and Auditor-General shall exercise such powers and functions and undertake such duties as may be assigned to him by the Governor-General in Council by regulations framed in that behalf.

Compensation of colonial capitals for diminution of prosperity

133. In order to compensate Pietermaritzburg and Bloemfontein for any loss sustained by them in the form of diminution of prosperity or decreased rateable value by reason of their ceasing to be the seats of government of their respective Colonies, there shall be paid from the Consolidated Revenue Fund for a period not exceeding twenty-five years to the municipal councils of such towns a grant of two per centum per annum on their municipal debts, as existing on the thirty-first day of January nineteen hundred and nine, and as ascertained by the Controller and Auditor-General. The Commission appointed under section one hundred and eighteen shall, after due inquiry, report to the Governor-General in Council what compensation should be paid to the municipal councils of Cape Town and Pretoria for the losses, if any, similarly sustained by them. Such compensation shall be paid out of the Consolidated Revenue Fund for a period not exceeding twenty-five years, and shall not exceed one per centum per annum on the respective municipal debts of such towns as existing on the thirty-first

January nineteen hundred and nine, and as ascertained by the Controller and Auditor-General. For the purposes of this section Cape Town shall be deemed to include the municipalities of Cape Town, Green Point, and Sea Point, Woodstock, Mowbray, and Rondebosch, Claremont, and Wynberg, and any grant made to Cape Town shall be payable to the councils of such municipalities in proportion to their respective debts. One half of any such grants shall be applied to the redemption of the municipal debts of such towns respectively. At any time after the tenth annual grant has been paid to any of such towns the Governor-General in Council, with the approval of Parliament, may after due inquiry withdraw or reduce the grant to such town.

PART VIII.

GENERAL.

Method of voting for senators, &c.

134. The election of senators and of members of the executive committees of the provincial councils as provided in this Act shall, whenever such election is contested, be according to the principle of proportional representation, each voter having one transferable vote. The Governor-General in Council, or, in the case of the first election of the Senate, the Governor in Council of each of the Colonies, shall frame regulations prescribing the method of voting and of transferring and counting votes and the duties of returning officers in connection therewith, and such regulations or any amendments thereof after being duly promulgated shall have full force and effect unless and until Parliament shall otherwise provide.

Continuation of existing colonial laws.

135. Subject to the proivsions of this Act, all laws in force in the several Colonies at the establishment of the Union shall continue in force in the respective provinces until repealed or amended by Parliament, or by the provincial councils in matters in respect of which the power to make ordinances is reserved or delegated to them. All legal commissions in the several Colonies at the establishment of the Union shall continue as if the Union had not been established.

Free trade throughout Union.

136. There shall be free trade throughout the Union, but until Parliament otherwise provides the duties of custom and of excise leviable under the laws existing in any of the Colonies at the establishment of the Union shall remain in force.

Equality of English and Dutch languages

137. Both the English and Dutch languages shall be official languages of the Union, and shall be treated on a footing of equality, and possess and enjoy equal freedom, rights, and privileges; all records, journals, and proceedings of Parliament shall be kept in both languages, and all Bills, Acts, and notices of general public importance or interest issued by the Government of the Union shall be in both languages.

Naturalisation.

138. All persons who have been naturalised in any of the Colonies shall be deemed to be naturalised throughout the Union.

Administration of justice

139. The administration of justice throughout the Union shall be under the control of a minister of State, in whom shall be vested all powers, authorities, and functions which shall at the establishment of the Union be vested in the Attorneys-General of the Colonies, save and except all powers, authorities, and functions relating to the prosecution of crimes and offences, which shall in each province be vested in an officer to be appointed by the Governor-General in Council, and styled the Attorney-General of the province, who shall also discharge such other duties as may be assigned to him by the Governor-General in Council: Provided that in the province of the Cape of Good Hope the Solicitor-General for the Eastern Districts and the Crown Prosecutor for Griqualand West shall respectively continue to exercise the powers and duties by law vested in them at the time of the establishment of the Union.

Existing officers.

140. Subject to the provisions of the next succeeding section, all officers of the public service of the Colonies shall at the establishment of the Union become officers of the Union.

Reorganisation of public departments.

141.—(1) As soon as possible after the establishment of the Union, the Governor-General in Council shall appoint a public service commission to make recommendations for such reorganisation and readjustment of the departments of the public service as may be necessary. The commission shall also make recommendations in regard to the assignment of officers to the several provinces.

(2) The Governor-General in Council may after such commission has reported assign from time to time to each province such officers as may be necessary for the proper discharge of the services reserved or delegated to it, and such officers on being so assigned shall become officers of the province. Pending the assignment of such officers, the Governor-General in Council may place at the disposal of the provinces the services of such officers of the Union as may be necessary.

(3) The provisions of this section shall not apply to any service or department under the control of the Railway and Harbour Board, or to any person holding office under the Board.

Public service commission.

142. After the establishment of the Union the Governor-General in Council shall appoint a permanent public service commission with such powers and duties relating to the appointment, discipline, retirement, and superannuation of public officers as Parliament shall determine.

Pensions of existing officers.

143. Any officer of the public service of any of the Colonies at the establishment of the Union who is not retained in the service of the Union or assigned to that of a province shall be entitled to receive such pension, gratuity, or other compensation as he would have received in like circumstances if the Union had not been established.

Tenure of office of existing officers

144. Any officer of the public service of any of the Colonies at the establishment of the Union who is retained in the service of the Union or assigned to that of a province shall retain all his existing and accruing rights, and shall be entitled to retire from the service at the time at which he would have been entitled by law to retire, and on the pension or retiring allowance to which he would have been entitled by law in like circumstances if the Union had not been established.

Existing officers not to be dismissed for ignorance of English or Dutch.

145. The services of officers in the public service of any of the Colonies at the establishment of the Union shall not be dispensed with by reason of their want of knowledge of either the English or Dutch language.

Compensation to existing officers who are not retained.

146. Any permanent officer of the Legislature of any of the Colonies who is not retained in the service of the Union, or assigned to that of any province, and for whom no provision shall have been made by such Legislature, shall be entitled to such pension, gratuity, or compensation as Parliament may determine.

Administration of native affairs &c.

147. The control and administration of native affairs and of matters specially or differentially affecting Asiatics throughout the Union shall vest in the Governor-General in Council, who shall exercise all special powers in regard to native administration hitherto vested in the Governors of the Colonies or exercised by them as supreme chiefs, and any lands vested in the Governor or Governor and Executive Council of any colony for the purpose of reserves for native locations shall vest in the Governor-General in Council, who shall exercise all special powers in relation to such reserves as may hitherto have been exerciseable by any such Governor or Governor and Executive Council, and no lands set aside for the occupation of natives which cannot at the establishment of the Union be alienated except by an Act of the Colonial Legislature shall be alienated or in any way diverted from the purposes for which they are set apart except under the authority of an Act of Parliament.

Devolution on Union of rights and obligations under conventions.

148.—(1) All rights and obligations under any conventions or agreements which are binding on any of the Colonies shall devolve upon the Union at its establishment.

(2) The provisions of the railway agreement between the Governments of the Transvaal, the Cape of Good Hope, and Natal, dated the second of February, nineteen hundred and nine, shall, as far as practicable, be given effect to by the Government of the Union.

PART IX.

NEW PROVINCES AND TERRITORIES.

Alteration boundaries of provinces.

149. Parliament may alter the boundaries of any province, divide a province into two or more provinces, or form a new province out of provinces within the Union, on the petition of

the provincial council of every province whose boundaries are affected thereby.

Power to admit into Union territories administered by British South Africa Company.

150. The King, with the advice of the Privy Council, may on addresses from the Houses of Parliament of the Union admit into the Union the territories administered by the British South Africa Company on such terms and conditions as to representation and otherwise in each case as are expressed in the addresses and approved by the King, and the provisions of any Order in Council in that behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

Power to transfer to Union government of native territories.

151. The King, with the advice of the Privy Council, may, on addresses from the Houses of Parliament of the Union, transfer to the Union the government of any territories, other than the territories administered by the British South Africa Company, belonging to or under the protection of His Majesty, and inhabited wholly or in part by natives, and upon such transfer the Governor-General in Council may undertake the government of such territory upon the terms and conditions embodied in the Schedule to this Act.

PART X.

AMENDMENT OF ACT.

Amendment of Act.

152. Parliament may by law repeal or alter any of the provisions of this Act: Provided that no provision thereof, for the operation of which a definite period of time is prescribed, shall during such period be repealed or altered: And provided further that no repeal or alteration of the provisions contained in this section, or in sections thirty-three and thirty-four (until the number of members of the House of Assembly has reached the limit therein prescribed, or until a period of ten years has elapsed after the establishment of the Union, whichever is the longer period), or in sections thirty-five and one hundred and thirty-seven, shall be valid unless the Bill embodying such repeal or alteration shall be passed by both Houses of Parliament sitting together, and at the third reading be agreed to by not less than two-thirds of the total number of members of both Houses. A Bill so passed at such joint sitting shall be taken to have been duly passed by both Houses of Parliament.

SCHEDULE.

Section 151.

1. After the transfer of the government of any territory belonging to or under the protection of His Majesty, the Governor-General in Council shall be the legislative authority, and may by proclamation make laws for the peace, order, and good government of such territory: Provided that all such laws shall be laid before both Houses of Parliament within seven

days after the issue of the proclamation or, if Parliament be not then sitting, within seven days after the beginning of the next session, and shall be effectual unless and until both Houses of Parliament shall by resolutions passed in the same session request the Governor-General in Council to repeal the same, in which case they shall be repealed by proclamation.

2. The Prime Minister shall be charged with the administration of any territory thus transferred, and he shall be advised in the general conduct of such administration by a commission consisting of not fewer than three members with a secretary, to be appointed by the Governor-General in Council, who shall take the instructions of the Prime Minister in conducting all correspondence relating to the territories, and shall also under the like control have custody of all official papers relating to the territories.

3. The members of the commission shall be appointed by the Governor-General in Council, and shall be entitled to hold office for a period of ten years, but such period may be extended to successive further terms of five years. They shall each be entitled to a fixed annual salary, which shall not be reduced during the continuance of their term of office, and they shall not be removed from office except upon addresses from both Houses of Parliament passed in the same session praying for such removal. They shall not be qualified to become, or to be, members of either House of Parliament. One of the members of the commission shall be appointed by the Governor-General in Council as vice-chairman thereof. In case of the absence, illness, or other incapacity of any member of the commission, the Governor-General in Council may appoint some other fit and proper person to act during such absence, illness, or other incapacity.

4. It shall be the duty of the members of the commission to advise the Prime Minister upon all matters relating to the general conduct of the administration of, or the legislation for, the said territories. The Prime Minister, or another minister of State nominated by the Prime Minister to be his deputy for a fixed period, or, failing such nomination, the vice-chairman, shall preside at all meetings of the commission, and in case of an equality of votes shall have a casting vote. Two members of the commission shall form a quorum. In case the commission shall consist of four or more members, three of them shall form a quorum.

5. Any member of the commission who dissents from the decision of a majority shall be entitled to have the reasons for his dissent recorded in the minutes of the commission.

6. The members of the commission shall have access to all official papers concerning the territories, and they may deliberate on any matter relating thereto and tender their advice thereon to the Prime Minister.

7. Before coming to a decision on any matter relating either to the administration, other than routine, of the territories or to legislation therefor, the Prime Minister shall cause the papers relating to such matter to be deposited with the secretary to the commission, and shall convene a meeting of the commission for the purpose of obtaining its opinion on such matter.

8. Where it appears to the Prime Minister that the despatch of any communication or the making of any order is urgently required, the communication may be sent or order made, although it has not been submitted to a meeting of the commission or deposited for the perusal of the members thereof. In any such case the Prime Minister shall record the reasons for sending the communication or making the order and give notice thereof to every member.

9. If the Prime Minister does not accept a recommendation of the commission or proposes to take some action contrary to their advice, he shall state his views to the commission, who shall be at liberty to place on record the reasons in support of their recommendation or advice. This record shall be laid by the Prime Minister before the Governor-General in Council, whose decision in the matter shall be final.

10. When the recommendations of the commission have not been accepted by the Governor-General in Council, or action not in accordance with their advice has been taken by the Governor-General in Council, the Prime Minister, if thereto requested by the commission, shall lay the record of their dissent from the decision or action taken and of the reasons therefor before both Houses of Parliament, unless in any case the Governor-General in Council shall transmit to the commission a minute recording his opinion that the publication of such record and reasons would be gravely detrimental to the public interest.

11. The Governor-General in Council shall appoint a resident commissioner for each territory, who shall, in addition to such other duties as shall be imposed on him, prepare the annual estimates of revenue and expenditure for such territory, and forward the same to the secretary to the commission for the consideration of the commission and of the Prime Minister. A proclamation shall be issued by the Governor-General in Council, giving to the provisions for revenue and expenditure made in the estimates as finally approved by the Governor-General in Council the force of law.

12. There shall be paid into the Treasury of the Union all duties of customs levied on dutiable articles imported into and consumed in the territories, and there shall be paid out of the Treasury annually towards the cost of administration of each territory a sum in respect of such duties which shall bear to the total customs revenue of the Union in respect of each financial year the same proportion as the average amount of the customs revenue of such territory for the three completed financial years last preceding the taking effect of this Act bore to the average amount of the whole customs revenue for all the Colonies and territories included in the Union received during the same period.

13. If the revenue of any territory for any financial year shall be insufficient to meet the expenditure thereof, any amount required to make good the deficiency may, with the approval of the Governor-General in Council, and on such terms and conditions and in such manner as with the like approval may be directed or prescribed, be advanced from the funds of any other territory. In default of any such arrangement, the amount required to make good any such deficiency shall be advanced by the Government of the Union. In case there shall be a surplus for any territory, such surplus shall in the first instance be devoted to the repayment of any sums previously advanced by any other territory or by the Union Government to make good any deficiency in the revenue of such territory.

14. It shall not be lawful to alienate any land in Basutoland or any land forming part of the native reserves in the Bechuanaland protectorate and Swaziland from the native tribes inhabiting those territories.

15. The sale of intoxicating liquor to natives shall be prohibited in the territories, and no provision giving facilities for introducing, obtaining, or possessing such liquor in any part of the territories less stringent than those existing at the time of transfer shall be allowed.

16. The custom, where it exists, of holding pitsos or other recognised forms of native assembly shall be maintained in the territories.

17. No differential duties or imposts on the produce of the territories shall be levied. The laws of the Union relating to customs and excise shall be made to apply to the territories.

18. There shall be free intercourse for the inhabitants of the territories with the rest of South Africa subject to the laws, including the pass laws, of the Union.

19. Subject to the provisions of this Schedule, all revenues derived from any territory shall be expended for and on behalf of such territory: Provided that the Governor-General in Council may make special provision for the appropriation of a portion of such revenue as a contribution towards the cost of defence and other services performed by the Union for the benefit of the whole of South Africa, so, however, that that contribution shall not bear a higher proportion to the total cost of such services than that which the amount payable under paragraph 12 of this Schedule from the Treasury of the Union towards the cost of the administration of the territory bears to the total customs revenue of the Union on the average of the three years immediately preceding the year for which the contribution is made.

20. The King may disallow any law made by the Governor-General in Council by proclamation for any territory within one year from the date of the proclamation, and such disallowance on being made known by the Governor-General by proclamation shall annul the law from the day when the disallowance is so made known.

21. The members of the commission shall be entitled to such pensions or superannuation allowances as the Governor-General in Council shall by proclamation provide, and the salaries and pensions of such members and all other expenses of the commission shall be borne by the territories in the proportion of their respective revenues.

22. The rights as existing at the date of transfer of officers of the public service employed in any territory shall remain in force.

23. Where any appeal may by law be made to the King in Council from any court of the territories, such appeal shall, subject to the provisions of this Act, be made to the Appellate Division of the Supreme Court of South Africa.

24. The Commission shall prepare an annual report on the territories, which shall, when approved by the Governor-General in Council, be laid before both Houses of Parliament.

25. All Bills to amend or alter the provisions of this Schedule shall be reserved for the signification of His Majesty's pleasure.

CHAPTER 10.

An Act to amend the Superannuation Acts, 1834 to 1892.

[20th September 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Superannuation allowances and additional allowances to future male civil servants.

1.—(1) The proportion of the annual salary and emoluments on which the scale of the superannuation allowances to be granted to male civil servants is to be calculated shall, in the case of civil servants who enter the service after the passing of

22 Vict. c. 26

this Act, be one-eightieth instead of one-sixtieth, and accordingly section two of the Superannuation Act, 1859, shall, as respects such civil servants, have effect as if for the words "sixtieth" and "sixtieths," wherever they occur, there were substituted the words "eightieth" and "eightieths."

(2) The Treasury may grant by way of additional allowance to any such civil servant who retires after having served for not less than two years, in addition to the superannuation allowance (if any) to which he may become entitled or the gratuity (if any) which may be granted to him under section six of the Superannuation Act, 1859, a lump sum equal to one-thirtieth of the annual salary and emoluments of his office multiplied by the number of completed years he has served, so, however, that the additional allowance shall in no case exceed one and a half times the amount of such salary and emoluments:

Provided that, if a civil servant retires from the service after attaining the age of sixty-five years, there shall be deducted from the amount of the additional allowance which would otherwise be payable to him one-twentieth of that amount for every completed year he has served after attaining that age.

Gratuity in case of death of future male civil servants.

2.—(1) Where a male civil servant who enters the service after the passing of this Act dies, after he has served five years or upwards, whilst still employed in the service, the Treasury may grant to his legal personal representatives a gratuity equal to the annual salary and emoluments of his office:

Provided that, if he dies after attaining the age of sixty-five years, the amount of the gratuity which may be so granted shall be reduced by one-twentieth of that amount for every completed year he has served after attaining that age.

(2) Where any such civil servant having become entitled to a superannuation allowance dies after he has retired from the service, and the sums actually received by him at the time of his death on account of such superannuation allowance, together with the sum received by him by way of additional allowance, are less than the amount of the annual salary and emoluments of his office, the Treasury may grant to his legal personal representatives a gratuity equal to the deficiency.

Application existing male civil servants.

3.—(1) Subject to regulations made by the Treasury, the Treasury may allow any male civil servant who has entered the service before the date of the passing of this Act, and who at that date is under sixty years of age, to adopt the provisions of this Act, and in such case there may be granted to him or his legal personal representatives such superannuation and other allowances and gratuity as might have been granted had he entered the service after the passing of this Act, except that the amount of the additional allowance payable on retirement shall be increased by one-half per cent. in respect of each completed year he had served at the passing of this Act.

(2) Nothing in this Act shall affect the right to superannuation allowance or gratuity of a civil servant who has entered the

service before the passing of this Act, and who either is at that time over sixty years of age, or is under sixty years of age and does not adopt the provisions of this Act.

Method of calculating allowances.

4. Subject to the provisions of this Act, the provisions of the Superannuation Acts, 1834 to 1892, with respect to the qualifications for obtaining superannuation allowances and gratuities, and to the manner of reckoning years of service and amount of annual salary and emoluments, and to the diminution of superannuation allowances, and to the determination of questions by the Treasury, shall apply in respect of additional allowances and gratuities under this Act in like manner as they apply in respect of superannuation allowances under those Acts.

Power to revoke and alter warrants under 50 & 51 Vict. c. 67. s. 1.

5. A warrant framed by the Treasury under section one of the Superannuation Act, 1887, with respect to the grant of gratuities and allowances to civil servants injured in the discharge of their duty may be revoked or from time to time varied by a fresh warrant, and every such warrant shall be laid before Parliament.

Compensation on abolition of office.

6.—(1) It shall be lawful for the Treasury to grant to any person retiring or removed from the public service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belonged, by which greater efficiency and economy can be effected, such special allowance or allowances by way of compensation as on a full consideration of the circumstances of the case seem to the Treasury to be a reasonable and just compensation for the loss of office, but not exceeding in any case the amount which a civil servant would be entitled to, or which might be granted to a civil servant, if he retired on the ground of ill-health.

(2) The foregoing provision shall apply only to persons entering the service after the date of the passing of this Act, and shall apply to those persons in substitution for section seven of the Superannuation Act, 1859.

Nothing herein contained shall affect the application of the said section seven of the Superannuation Act, 1859, to persons who have entered the service before that date or the practice of the Treasury thereunder.

Rules.

7.—(1) The Treasury may from time to time make rules for the purpose of carrying this Act into effect and for making such adaptations and modifications of the provisions of the Superannuation Acts, 1834 to 1892, and other enactments relating to superannuation allowances and pensions of persons who have served partly in the civil service and partly in some other service entitling them to a pension as may be necessary for adapting those provisions to the provisions of this Act, and for altering the rules made by the Treasury under the Superannuation Act, 1892.

(2) Before any rules made under this section come into force, a draft thereof shall be laid before each House of Parliament for

a period of not less than thirty days during the session of Parliament, and, if either of those Houses of Parliament before the expiration of those thirty days presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft rules.

Short title and construction.

8. This Act may be cited as the Superannuation Act, 1909, and shall be read as one with the Superannuation Acts, 1834 to 1892, and those Acts and this Act may be cited together as the Superannuation Acts, 1834 to 1909.

CHAPTER 11.

An Act to amend the Judicature Acts, 1873 to 1894, with respect to the Persons in whom the power of making Rules of Court under those Acts is vested.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of provisions as to rule committee.

1.—(1) The persons in whom the power of making rules of court under the Judicature Acts, 1873 to 1894, is vested shall include four persons, of whom two shall be practising barristers being members of the General Council of the Bar and two shall be practising solicitors, one such solicitor being a member of the Council of the Law Society and the other being a member of the Law Society and also of a provincial Law Society, to be appointed by the Lord Chancellor for the purpose in the same manner as the four judges referred to in section nineteen of the Supreme Court of Judicature Act, 1881.

44 & 45 Vict. c. 68.

(2) Section four of the Supreme Court of Judicature (Procedure) Act, 1894, is hereby repealed.

57 & 58 Vict. c. 16.

Short title.

2. This Act may be cited as the Judicature (Rule Committee) Act, 1909, and may be cited with the Judicature Acts, 1873 to 1894.

CHAPTER 12.

An Act to prohibit Gambling on Loss by Maritime Perils.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Prohibition of gambling on loss by maritime perils.

1.—(1) If—

(*a*) any person effects a contract of marine insurance without having any bonâ fide interest, direct or indirect, either in the safe arrival of the ship in relation to which the contract is made or in the safety or preservation of the subject-matter insured, or a bonâ fide expectation of acquiring such an interest; or

(*b*) any person in the employment of the owner of a ship, not being a part owner of the ship, effects a contract of marine insurance in relation to the ship, and the contract is made "interest or no interest," or "without further proof of interest than the policy itself," or "without benefit of salvage to the insurer," or subject to any other like term,

the contract shall be deemed to be a contract by way of gambling on loss by maritime perils, and the person effecting it shall be guilty of an offence, and shall be liable, on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding six months or to a fine not exceeding one hundred pounds, and in either case to forfeit to the Crown any money he may receive under the contract.

(2) Any broker or other person through whom, and any insurer with whom, any such contract is effected shall be guilty of an offence and liable on summary conviction to the like penalties if he acted knowing that the contract was by way of gambling on loss by maritime perils within the meaning of this Act.

(3) Proceedings under this Act shall not be instituted without the consent in England of the Attorney-General, in Scotland of the Lord Advocate, and in Ireland of the Attorney-General for Ireland.

(4) Proceedings shall not be instituted under this Act against a person (other than a person in the employment of the owner of the ship in relation to which the contract was made) alleged to have effected a contract by way of gambling on loss by maritime perils until an opportunity has been afforded him of showing that the contract was not such a contract as aforesaid, and any information given by that person for that purpose shall not be admissible in evidence against him in any prosecution under this Act.

(5) If proceedings under this Act are taken against any person (other than a person in the employment of the owner of the ship in relation to which the contract was made) for effecting such a contract, and the contract was made "interest or no interest," or "without further proof of interest than the policy itself," or "without benefit of salvage to the insurer," or subject to any other like term, the contract shall be deemed to be a contract by way of gambling on loss by maritime perils unless the contrary is proved.

(6) For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed either in the place in which the same actually was committed or in any place in which the offender may be.

(7) Any person aggrieved by an order or decision of a court of summary jurisdiction under this Act, may appeal to quarter sessions.

(8) For the purposes of this Act the expression "owner" includes charterer.

(9) Subsection (7) of this section shall not apply to Scotland.

Short title
6 Edw. 7. c. 41.

2. This Act may be cited as the Marine Insurance (Gambling Policies) Act, 1909, and the Marine Insurance Act, 1906, and this Act may be cited together as the Marine Insurance Acts, 1906 and 1909.

CHAPTER 13.

An Act to provide for the recovery by Local Education Authorities of Costs for Medical Treatment of Children attending Public Elementary Schools in England and Wales. [20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Recovery by local education authority of cost of medical treatment
7 Edw. 7. c. 43

1. Where any local education authority provides for the medical treatment of children attending any public elementary school under section thirteen of the Education (Administrative Provisions) Act, 1907, there shall be charged to the parent of every child in respect of any treatment provided for that child such an amount not exceeding the cost of treatment as may be determined by the local education authority, and in the event of payment not being made by the parent it shall be the duty of the authority, unless they are satisfied that the parent is unable by reason of circumstances other than his own default to pay the amount, to require the payment of that amount from that parent, and any such amount may be recovered summarily as a civil debt.

Franchise, &c., to be unaffected by failure of parents to pay

2. The failure on the part of any parent to pay any amount demanded under this Act in respect of any medical treatment shall not deprive the parent of any franchise, right, or privilege, or subject him to any disability.

No obligation on parent to submit child to treatment.

3. Nothing in this Act shall be construed as imposing any obligation on a parent to submit his child to medical inspection or treatment under section thirteen of the Education (Administrative Provisions) Act, 1907.

4. In this Act the word "parent" shall have the same meaning as in the Elementary Education Act, 1870. Definition. 33 & 34 Vict. c. 75.

5. This Act may be cited as the Local Education Authorities (Medical Treatment) Act, 1909. Short title.

CHAPTER 14.

An Act to enable an Assistant Postmaster-General to sit in the House of Commons. [20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. If the Postmaster-General appoints an Assistant Postmaster-General, the Assistant Postmaster-General shall not, by reason of his office, be incapable of being elected to or of voting in the Commons House of Parliament. Assistant Postmaster-General.

2. This Act may be cited as the Assistant Postmaster-General Act, 1909. Short title

CHAPTER 15.

An Act to enable a second Secretary to be appointed for the Board of Agriculture and Fisheries. [20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The power of the Board of Agriculture and Fisheries to appoint a secretary under section five of the Board of Agriculture Act, 1889, is hereby extended so as to authorise the appointment of two secretaries, and any reference to the secretary in any provision of the Board of Agriculture and Fisheries Acts, 1889 and 1903 (including any provision giving power to pay salaries), shall include a reference to any second secretary appointed in pursuance of the power as so extended. Power to appoint second secretary to the Board of Agriculture and Fisheries. 52 & 53 Vict. c. 30. 3 Edw. 7. c. 31.

(2) One of the secretaries of the Board of Agriculture and Fisheries shall not, by reason of his office, be incapable of being elected to or of voting in the Commons House of Parliament.

2. This Act may be cited as the Board of Agriculture and Fisheries Act, 1909; and the Board of Agriculture and Fisheries Acts, 1889 and 1903, and this Act may be cited together as the Board of Agriculture and Fisheries Acts, 1889 to 1909. Short title.

CHAPTER 16.

An Act to authorise the making of such modifications in the Workmen's Compensation Act, 1906, in its application to French Citizens, as may be necessary to give effect to a Convention between His Majesty and the President of the French Republic.

[20th October 1909.]

WHEREAS His Majesty the King and the President of the French Republic have concluded the Convention set out in the Schedule to this Act, but effect cannot be given to the Convention unless certain modifications are made in the Workmen's Compensation Act, 1906, so far as it applies to workmen who are French citizens.

6 Edw. 7. c. 58.

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make modifications in Workmen's Compensation Act in its application to French citizens.

1. His Majesty may, by Order in Council, make such modifications in the Workmen's Compensation Act, 1906, in its application to workmen who are French citizens, as appear to him to be necessary to give effect to the said Convention; and the Workmen's Compensation Act, 1906, shall apply to such workmen, subject to the modifications contained in the Order.

Short title.

2. This Act may be cited as the Workmen's Compensation (Anglo-French Convention) Act, 1909.

SCHEDULE.

Convention signed at Paris the 3rd Day of July 1909.

Article 1.

British subjects who meet with accidents arising out of their employment as workmen in France, and persons entitled to claim through or having rights derivable from them, shall enjoy the benefits of the compensation and guarantees secured to French citizens by the legislation in force in France in regard to the liability of employers in respect of such accidents.

Reciprocally, French citizens who meet with accidents arising out of their employment as workmen in the United Kingdom of Great Britain and Ireland, and persons entitled to claim through or having rights derivable from them, shall enjoy the benefits of the compensation and guarantees secured to British subjects by the legislation in force in the United Kingdom of Great Britain and Ireland in regard to compensation for such accidents, supplemented as specified in Article 5.

ARTICLE 2.

Nevertheless, the present Convention shall not apply to the case of a person engaged in a business having its headquarters in one of the two Contracting States, but temporarily detached for employment in the other Contracting State, and meeting with an accident in the course of that employment, if at the time of the accident the said employment has lasted less than six months. In this case the persons interested shall only be entitled to the compensation and guarantees provided by the law of the former State.

The same rule shall apply in the case of persons engaged in transport services and employed at intervals, whether regular or not, in the country other than that in which the headquarters of the business are established.

ARTICLE 3.

The British and French authorities will reciprocally lend their good offices to facilitate the administration of their respective laws as aforesaid.

ARTICLE 4.

The present Convention shall be ratified, and the ratifications shall be exchanged at Paris, as soon as possible.

It shall be applicable in France and in the United Kingdom of Great Britain and Ireland to all accidents happening after one month from the time of its publication in the two countries in the manner prescribed by their respective laws, and it shall remain binding until the expiration of one year from the date on which it shall have been denounced by one or other of the two Contracting Parties.

ARTICLE 5.

Nevertheless, the ratification mentioned in the preceding Article shall not take place till the legislation at present in force in the United Kingdom of Great Britain and Ireland in regard to workmen's compensation has been supplemented, so far as concerns accidents to French citizens arising out of their employment as workmen, by arrangements to the following effect:—

(*a*) That the compensation payable shall in every case be fixed by an award of the County Court:

(*b*) That in any case of redemption of weekly payments the total sum payable shall, provided it exceeds a sum equivalent to the capital value of an annuity of 4*l.* (100 fr.), be paid into Court, to be employed in the purchase of an annuity for the benefit of the person entitled thereto:

(*c*) That in those cases in which a lump sum representing the compensation payable shall have been paid by the employer into the County Court, if the injured workman returns to reside in France, or if the dependants resided in France at the time of his death or subsequently return to reside in France, the total sum due to the injured workman or to his dependants shall be paid over through the County Court to the "Caisse Nationale Française des Retraites pour la Vieillesse," who shall employ it in the purchase of an annuity according to its tariff at the time of the payment; and further, that, in the case in which a lump sum shall not have been paid into Court, and the injured workman returns to reside in France, the compensation shall be

remitted to him through the County Court at such intervals and in such way as may be agreed upon by the competent authorities of the two countries;

(*d*) That in respect of all the acts done by the County Court in pursuance of the legislation in regard to workmen's compensation, as well as in the execution of the present Convention, French citizens shall be exempt from all expenses and fees:

(*e*) That at the beginning of each year His Majesty's principal Secretary of State for the Home Department will send to the "Département du Travail et de la Prévoyance sociale" a record of all judicial decisions given in the course of the preceding year under the legislation in regard to workmen's compensation in the case of French citizens injured by accident in the United Kingdom of Great Britain and Ireland.

CHAPTER 17.

An Act to enable the London County Council to establish and maintain an Ambulance Service in London.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to London County Council to establish and maintain ambulance service.

1. It shall be lawful for the London County Council to establish and maintain, or to contribute towards the cost of, or otherwise to aid in establishing or maintaining, an ambulance service for dealing with cases of accidents or illness (other than infectious diseases) within the county of London, exclusive of the city of London, and for such purposes—

(1) To employ such persons as they may think expedient:

(2) To appropriate any lands and buildings for the time being vested in them:

(3) To acquire any lands or buildings within the county:

(4) To erect, maintain, and manage, on any lands so appropriated and acquired, any buildings for the said purpose:

(5) To adapt, furnish, and equip any buildings so appropriated, acquired, or erected:

(6) To contract with the Postmaster-General for the establishment and maintenance of telegraphic, telephonic, and other suitable means of communication:

(7) To provide and maintain ambulances and other vehicles and means of conveyance, to be drawn by electrical or other mechanical power, by horse, or by hand:

Provided that any electrical power used for moving any such vehicle shall be entirely contained in and carried along with such vehicle.

2. The London County Council may allow the ambulance service established under this Act to be used, on such terms and conditions as may be agreed upon, by any local authority having powers under section fifty of the Public Health Acts Amendment Act, 1907. Power to allow other authorities to use ambulance service. 7 Edw. 7. c. 53.

3. This Act may be cited as the Metropolitan Ambulances Act, 1909. Short title.

CHAPTER 18.

An Act to make better provision respecting Naval Establishments in British Possessions.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) It shall be lawful for His Majesty, on the representation of the Admiralty and of the Treasury that it is expedient to do so, by Order in Council to vest any store, yard, magazine, building, or other property in any British Possession held in trust for naval purposes (whether vested in His Majesty or in the Admiralty or in any officer), and the care and disposal of such property, in the Governor of the possession for such estate and interest, and upon such terms and conditions, and subject to such reservations, exceptions, and restrictions, as may be specified in the Order, and the Governor of the possession shall, by virtue of this Act and the Order, take and hold, subject to the provisions of the Order, the premises transferred to and vested in him accordingly. Power to transfer Naval Establishments in British Possessions to the Governor thereof.

(2) Every representation to His Majesty proposed to be made under this Act shall be laid before both Houses of Parliament, and shall lie for not less than forty days on the table of both Houses before it is submitted to His Majesty.

(3) Nothing in an Order made in pursuance of this Act shall affect any estate, interest, right, or claim in or to any property comprised in the Order other than such as at the date of the Order was vested in or held in trust for His Majesty or the Admiralty.

2. This Act may be cited as the Naval Establishments in British Possessions Act, 1909. Short title

CHAPTER 19.

An Act to amend the Colonial Naval Defence Act, 1865.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to provide that volunteers raised in colony shall form part of Royal Naval Volunteer Reserve.
28 & 29 Vict. c. 14.
3 Edw. 7. c. 6.

1.—(1) The proper legislative authority in a colony under the Colonial Naval Defence Act, 1865, shall have power to provide that any volunteers raised and maintained in pursuance of that Act shall form part of the Royal Naval Volunteer Reserve constituted under the Naval Forces Act, 1903; and, where such a provision is made by such legislative authority as respects any volunteers, the Colonial Naval Defence Act, 1865, shall apply to those volunteers as if sections four and seven of that Act, as set forth and adapted in Part I. of the Schedule to this Act, were substituted for sections four and seven of that Act as originally enacted.

(2) Where any such legislative authority has before the passing of this Act made such provision as aforesaid, the colonial enactment by which such provision is made shall have effect as if this Act had been in force at the time of the passing of the colonial enactment.

Power to provide for men being entered for service in the Navy on emergency.

2. Such legislative authority as aforesaid shall have power to provide that any seamen and others raised and maintained in pursuance of the Colonial Naval Defence Act, 1865, and entered on the terms of being bound to serve as ordered in any vessel provided by the Government of the colony, shall also be bound to general service in the Royal Navy in emergency; and, where such a provision is made by such legislative authority as respects any men, section seven of the Colonial Naval Defence Act, 1865, as set forth and adapted in Part II. of the Schedule to this Act, shall apply to those men and their officers.

Short title.

3. This Act may be cited as the Colonial Naval Defence Act, 1909; and the Colonial Naval Defence Act, 1865, and this Act may be cited together as the Colonial Defence Acts, 1865 and 1909.

SCHEDULE.

Section 1.

PART I.

SECTIONS 4 AND 7 OF THE COLONIAL NAVAL DEFENCE ACT, 1865, AS ADAPTED TO COLONIAL VOLUNTEERS FORMING PART OF THE ROYAL NAVAL VOLUNTEER RESERVE.

Section 4.

The volunteers raised as aforesaid in any colony shall form part of the Royal Naval Volunteer Reserve, in addition to the volunteers who may be

raised under the Naval Forces Act, 1903, but, except as in this Act expressly provided, shall be subject exclusively to the provisions made as aforesaid by the proper legislative authority of the colony.

Section 7.

It shall be lawful for His Majesty in Council from time to time as occasion requires, and on such conditions as seem fit, to authorise the Admiralty to accept any offer for the time being made or to be made by the Government of a colony to place at His Majesty's disposal for general service in the Royal Navy the whole or any part of the body of volunteers, with all or any of the officers, raised and appointed by that Government in accordance with the provisions of this Act, and, where any such offer is accepted, such of the provisions of the Naval Forces Act, 1903, as relate to men of the Royal Naval Volunteer Reserve raised in the United Kingdom when in actual service shall extend and apply to the volunteers whose services are so accepted.

PART II. Section 2.

SECTION 7 OF THE COLONIAL NAVAL DEFENCE ACT, 1865, AS ADAPTED TO MEN RAISED AND MAINTAINED IN A COLONY LIABLE TO SERVE IN THE ROYAL NAVY.

Section 7.

It shall be lawful for His Majesty in Council from time to time as occasion requires, and on such conditions as seem fit, to authorise the Admiralty to accept any offer for the time being made or to be made by the Government of a colony to place at His Majesty's disposal for general service in the Royal Navy the whole or any part of the body of men, with all or any of the officers, raised and appointed by that Government in accordance with the provisions of this Act, and, where any such offer is accepted, the men and officers whose services are so accepted shall be deemed to all intents men and officers of the Royal Navy, and shall accordingly be subject to all enactments and regulations for the time being in force for the discipline of the Royal Navy.

CHAPTER 20.

An Act to give further powers to the Railway and Canal Commission to determine differences with respect to Telegraphs (including Telephones).

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Determination of differences with reference to telegraphs.

1. Any difference between the Postmaster-General and any body or person under the Telegraph Acts, 1863 to 1908, or under any licence or agreement relating to telegraphs (including telephones), shall, if the parties to such difference have before

the passing of this Act agreed, or hereafter agree, to such reference, be referred to the Railway and Canal Commission, and that Commission shall determine the same.

Procedure of Commission

2. All proceedings relating to any difference directed to be determined by the Railway and Canal Commission under this Act shall be conducted by the Commission in the same manner as any other proceeding is conducted by them under the Railway and Canal Traffic Acts, 1873 and 1888, or any Act amending the same, and any order of the Commission on any such difference or question shall be enforceable as any other order of the Commission: Provided—

(1) that any matter of difference or any question arising before the Commission under this Act may, in the discretion of the Commission and with the consent of the parties, be heard and determined by the two appointed Commissioners, whose order shall be deemed to be the order of the Commission; and

(2) that the costs of every proceeding before the Commission shall be in the discretion of the Commission.

Saving

3. Nothing in this Act shall restrict or prejudice the operation of any provision of the Telegraph Acts, 1863 to 1908, or of any other Act by which any difference is referred to the Railway and Canal Commission.

Short title.

4. This Act may be cited as the Telegraph (Arbitration) Act, 1909, and may be cited with the Telegraph Acts, 1863 to 1908.

CHAPTER 21.

An Act to protect the interests of Handloom Weavers and for other purposes in connection therewith.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Trademark to be woven on certain linen goods

1.—(1) Every person who weaves in a handloom in Ireland any linen damask table cloth or napkin, or any piece of linen damask goods, shall weave in the selvedge or hem thereof the words "Irish hand-woven linen damask."

(2) Every person who weaves in a handloom in Ireland any piece of cambric or linen diaper goods shall, as soon as the piece is woven, stamp or print, or cause to be stamped or printed, thereon the words "Irish hand-woven" in legible character.

(3) Any person weaving in a handloom in Ireland any linen damask table cloth or napkin, or any piece of linen damask goods, or cambric or linen diaper goods, who fails or neglects to

carry out the requirements of this section shall be guilty of an offence under this Act.

(4) If any manufacturer, agent, or other person causes or procures any person to weave in a handloom in Ireland any linen damask table cloth or napkin, or any piece of linen damask goods, or cambric or linen diaper goods, otherwise than in accordance with the requirements of this section, he shall be guilty of an offence under this Act.

Sale of goods bearing false trademark.

2. Any person selling or exposing for sale any goods being or purporting to be linen damask goods or cambric or linen diaper goods having woven thereon or stamped or marked thereon the words "Irish hand-woven" or "Irish hand-made," or other words representing that the goods were woven in a handloom in Ireland, shall, unless the goods were in fact so woven, be guilty of an offence under this Act.

Offences and penalties.

3.—(1) Offences under this Act may be prosecuted, and penalties recoverable under this Act may be recovered, in a summary manner.

(2) Any person guilty of an offence under this Act shall be liable on conviction for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence to a penalty not exceeding twenty pounds or to imprisonment for a term not exceeding six months.

Short title.

4. This Act may be cited as the Irish Handloom Weavers Act, 1909, and shall come into operation on the first day of January nineteen hundred and ten.

CHAPTER 22.

An Act to provide for the establishment of Trade Boards for certain Trades. [20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Establishment of Trade Boards for Trades to which the Act applies.

Application of Act to certain trades.

1.—(1) This Act shall apply to the trades specified in the schedule to this Act and to any other trades to which it has been applied by Provisional Order of the Board of Trade made under this section.

(2) The Board of Trade may make a Provisional Order applying this Act to any specified trade to which it does not at the time apply if they are satisfied that the rate of wages prevailing in any branch of the trade is exceptionally low, as

compared with that in other employments, and that the other circumstances of the trade are such as to render the application of this Act to the trade expedient.

(3) If at any time the Board of Trade consider that the conditions of employment in any trade to which this Act applies have been so altered as to render the application of this Act to the trade unnecessary, they may make a Provisional Order that this Act shall cease to apply to that trade.

(4) The Board of Trade may submit to Parliament for confirmation any Provisional Order made by them in pursuance of this section, but no such Order shall have effect unless and until it is confirmed by Parliament.

(5) If, while a Bill confirming any such Order is pending in either House of Parliament, a petition is presented against any Order comprised therein, the Bill, so far as it relates to that Order, may be referred to a select committee, or, if the two Houses of Parliament think fit so to order, to a joint committee of those Houses, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills.

(6) Any Act confirming a Provisional Order made in pursuance of this section may be repealed, altered, or amended by any subsequent Provisional Order made by the Board of Trade and confirmed by Parliament.

Establishment of Trade Boards for trades to which Act applies.

2.—(1) The Board of Trade shall, if practicable, establish one or more Trade Boards constituted in accordance with regulations made under this Act for any trade to which this Act applies or for any branch of work in the trade.

Where a Trade Board is established under this Act for any trade or branch of work in a trade which is carried on to any substantial extent in Ireland, a separate Trade Board shall be established for that trade or branch of work in a trade in Ireland.

(2) Where a Trade Board has been established for any branch of work in a trade, any reference in this Act to the trade for which the Board is established shall be construed as a reference to the branch of work in the trade for which the Board has been established.

General duties of Trade Boards.

3. A Trade Board for any trade shall consider, as occasion requires, any matter referred to them by a Secretary of State, the Board of Trade, or any other Government department, with reference to the industrial conditions of the trade, and shall make a report upon the matter to the department by whom the question has been referred.

MINIMUM RATES OF WAGES.

Duties and powers of Trade Boards with respect to minimum rates of wages.

4.—(1) Trade Boards shall, subject to the provisions of this section, fix minimum rates of wages for timework for their trades (in this Act referred to as minimum time-rates), and may also fix general minimum rates of wages for piecework for their

trades (in this Act referred to as general minimum piece-rates), and those rates of wages (whether time- or piece-rates) may be fixed so as to apply universally to the trade, or so as to apply to any special process in the work of the trade or to any special class of workers in the trade, or to any special area.

If a Trade Board report to the Board of Trade that it is impracticable in any case to fix a minimum time-rate in accordance with this section, the Board of Trade may so far as respects that case relieve the Trade Board of their duty.

(2) Before fixing any minimum time-rate or general minimum piece-rate, the Trade Board shall give notice of the rate which they propose to fix and consider any objections to the rate which may be lodged with them within three months.

(3) The Trade Board shall give notice of any minimum time-rate or general minimum piece-rate fixed by them.

(4) A Trade Board may, if they think it expedient, cancel or vary any minimum time-rate or general minimum piece-rate fixed under this Act, and shall reconsider any such minimum rate if the Board of Trade direct them to do so, whether an application is made for the purpose or not:

Provided that the provisions of this section as to notice shall apply where it is proposed to cancel or vary the minimum rate fixed under the foregoing provisions in the same manner as they apply where it is proposed to fix a minimum rate.

(5) A Trade Board shall on the application of any employer fix a special minimum piece-rate to apply as respects the persons employed by him in cases to which a minimum time-rate but no general minimum piece-rate is applicable, and may as they think fit cancel or vary any such rate either on the application of the employer or after notice to the employer, such notice to be given not less than one month before cancellation or variation of any such rate.

Order giving obligatory effect to minimum rates of wages.

5.—(1) Until a minimum time-rate or general minimum piece-rate fixed by a Trade Board has been made obligatory by order of the Board of Trade under this section, the operation of the rate shall be limited as in this Act provided.

(2) Upon the expiration of six months from the date on which a Trade Board have given notice of any minimum time-rate or general minimum piece-rate fixed by them, the Board of Trade shall make an order (in this Act referred to as an obligatory order) making that minimum rate obligatory in cases in which it is applicable on all persons employing labour and on all persons employed, unless they are of opinion that the circumstances are such as to make it premature or otherwise undesirable to make an obligatory order, and in that case they shall make an order suspending the obligatory operation of the rate (in this Act referred to as an order of suspension).

(3) Where an order of suspension has been made as respects any rate, the Trade Board may, at any time after the expiration of six months from the date of the order, apply to the Board of Trade for an obligatory order as respects that rate; and on any

such application the Board of Trade shall make an obligatory order as respects that rate, unless they are of opinion that a further order of suspension is desirable, and, in that case, they shall make such a further order, and the provisions of this section which are applicable to the first order of suspension shall apply to any such further order.

An order of suspension as respects any rate shall have effect until an obligatory order is made by the Board of Trade under this section.

(4) The Board of Trade may, if they think fit, make an order to apply generally as respects any rates which may be fixed by any Trade Board constituted, or about to be constituted, for any trade to which this Act applies, and while the order is in force any minimum time-rate or general minimum piece-rate shall, after the lapse of six months from the date on which the Trade Board have given notice of the fixing of the rate, be obligatory in the same manner as if the Board of Trade had made an order making the rate obligatory under this section, unless in any particular case the Board of Trade, on the application of any person interested, direct to the contrary.

The Board of Trade may revoke any such general order at any time after giving three months' notice to the Trade Board of their intention to revoke it.

Penalty for not paying wages in accordance with minimum rate which has been made obligatory.

6.—(1) Where any minimum rate of wages fixed by a Trade Board has been made obligatory by order of the Board of Trade under this Act, an employer shall, in cases to which the minimum rate is applicable, pay wages to the person employed at not less than the minimum rate clear of all deductions, and if he fails to do so shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds and to a fine not exceeding five pounds for each day on which the offence is continued after conviction therefor.

(2) On the conviction of an employer under this section for failing to pay wages at not less than the minimum rate to a person employed, the court may by the conviction adjudge the employer convicted to pay, in addition to any fine, such sum as appears to the court to be due to the person employed on account of wages, the wages being calculated on the basis of the minimum rate, but the power to order the payment of wages under this provision shall not be in derogation of any right of the person employed to recover wages by any other proceedings.

(3) If a Trade Board are satisfied that any worker employed, or desiring to be employed, on time work in any branch of a trade to which a minimum time-rate fixed by the Trade Board is applicable is affected by any infirmity or physical injury which renders him incapable of earning that minimum time-rate, and are of opinion that the case cannot suitably be met by employing the worker on piece-work, the Trade Board may, if they think fit, grant to the worker, subject to such conditions, if any, as they prescribe, a permit exempting the employment of the worker

from the provisions of this Act rendering the minimum time-rate obligatory, and, while the permit is in force, an employer shall not be liable to any penalty for paying wages to the worker at a rate less than the minimum time-rate so long as any conditions prescribed by the Trade Board on the grant of the permit are complied with.

(4) On any prosecution of an employer under this section, it shall lie on the employer to prove by the production of proper wages sheets or other records of wages or otherwise that he has not paid, or agreed to pay, wages at less than the minimum rate.

(5) Any agreement for the payment of wages in contravention of this provision shall be void.

Limited operation of minimum rate which has not been made obligatory.

7.—(1) Where any minimum rate of wages has been fixed by a Trade Board, but is not for the time being obligatory under an order of the Board of Trade made in pursuance of this Act, the minimum rate shall, unless the Board of Trade direct to the contrary in any case in which they have directed the Trade Board to reconsider the rate, have a limited operation as follows:—

(*a*) In all cases to which the minimum rate is applicable an employer shall, in the absence of a written agreement to the contrary, pay to the person employed wages at not less than the minimum rate, and, in the absence of any such agreement, the person employed may recover wages at such a rate from the employer;

(*b*) Any employer may give written notice to the Trade Board by whom the minimum rate has been fixed that he is willing that that rate should be obligatory on him, and in that case he shall be under the same obligation to pay wages to the person employed at not less than the minimum rate, and be liable to the same fine for not doing so, as he would be if an order of the Board of Trade were in force making the rate obligatory; and

(*c*) No contract involving employment to which the minimum rate is applicable shall be given by a Government department or local authority to any employer unless he has given notice to the Trade Board in accordance with the foregoing provision:

Provided that in case of any public emergency the Board of Trade may by order, to the extent and during the period named in the order, suspend the operation of this provision as respects contracts for any such work being done or to be done on behalf of the Crown as is specified in the order.

(2) A Trade Board shall keep a register of any notices given under this section:

The register shall be open to public inspection without payment of any fee, and shall be evidence of the matters stated therein:

Any copy purporting to be certified by the secretary of the Trade Board or any officer of the Trade Board authorised for the purpose to be a true copy of any entry in the register shall be admissible in evidence without further proof.

Provision for case of persons employed by piece work where a minimum time-rate but no general minimum piece-rate has been fixed.

8. An employer shall, in cases where persons are employed on piece work and a minimum time-rate but no general minimum piece-rate has been fixed, be deemed to pay wages at less than the minimum rate—

(*a*) in cases where a special minimum piece-rate has been fixed under the provisions of this Act for persons employed by the employer, if the rate of wages paid is less than that special minimum piece-rate; and

(*b*) in cases where a special minimum piece-rate has not been so fixed, unless he shows that the piece-rate of wages paid would yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the minimum time-rate.

Prevention of evasion.

9. Any shopkeeper, dealer, or trader, who by way of trade makes any arrangement express or implied with any worker in pursuance of which the worker performs any work for which a minimum rate of wages has been fixed under this Act, shall be deemed for the purposes of this Act to be the employer of the worker, and the net remuneration obtainable by the worker in respect of the work after allowing for his necessary expenditure in connection with the work shall be deemed to be wages.

Consideration by Trade Board of complaints as to infraction of minimum rates.

10.—(1) Any worker or any person authorised by a worker may complain to the Trade Board that the wages paid to the worker by any employer in any case to which any minimum rate fixed by the Trade Board is applicable are at a rate less than the minimum rate, and the Trade Board shall consider the matter and may, if they think fit, take any proceedings under this Act on behalf of the worker.

(2) Before taking any proceedings under this Act on behalf of the worker, a Trade Board may, and on the first occasion on which proceedings are contemplated by the Trade Board against an employer they shall, take reasonable steps to bring the case to the notice of the employer, with a view to the settlement of the case without recourse to proceedings.

CONSTITUTION, PROCEEDINGS, &C. OF TRADE BOARDS.

Constitution and proceedings of Trade Boards.

11.—(1) The Board of Trade may make regulations with respect to the constitution of Trade Boards which shall consist of members representing employers and members representing workers (in this Act referred to as representative members) in equal proportions and of the appointed members. Any such regulations may be made so as to apply generally to the constitution of all Trade Boards, or specially to the constitution of any particular Trade Board or any particular class of Trade Boards.

(2) Women shall be eligible as members of Trade Boards as well as men.

(3) The representative members shall be elected or nominated, or partly elected and partly nominated as may be provided by the regulations, and in framing the regulations the representation of home workers on Trade Boards shall be provided for in all trades in which a considerable proportion of home workers are engaged.

(4) The chairman of a Trade Board shall be such one of the members as the Board of Trade may appoint, and the secretary of the Trade Board shall be appointed by the Board of Trade.

(5) The proceedings of a Trade Board shall not be invalidated by any vacancy in their number, or by any defect in the appointment, election, or nomination of any member.

(6) In order to constitute a meeting of a Trade Board, at least one third of the whole number of the representative members and at least one appointed member must be present.

(7) The Board of Trade may make regulations with respect to the proceedings and meetings of Trade Boards, including the method of voting; but subject to the provisions of this Act and to any regulations so made Trade Boards may regulate their proceedings in such manner as they think fit.

Establishment of district trade committees.

12.—(1) A Trade Board may establish district trade committees consisting partly of members of the Trade Board and partly of persons not being members of the Trade Board but representing employers or workers engaged in the trade and constituted in accordance with regulations made for the purpose by the Board of Trade and acting for such area as the Trade Board may determine.

(2) Provision shall be made by the regulations for at least one appointed member acting as a member of each district trade committee, and for the equal representation of local employers and local workers on the committee, and for the representation of homeworkers thereon in the case of any trade in which a considerable proportion of homeworkers are engaged in the district, and also for the appointment of a standing sub-committee to consider applications for special minimum piece-rates and complaints made to the Trade Board under this Act, and for the reference of any applications or complaints to that sub-committee.

(3) A Trade Board may refer to a district trade committee for their report and recommendations any matter which they think it expedient so to refer, and may also, if they think fit, delegate to a district trade committee any of their powers and duties under this Act, other than their power and duty to fix a minimum time-rate or general minimum piece-rate.

(4) Where a district trade committee has been established for any area, it shall be the duty of the committee to recommend to the Trade Board minimum time-rates and, so far as they

think fit, general minimum piece-rates, applicable to the trade in that area, and no such minimum rate of wages fixed under this Act and no variation or cancellation of such a rate shall have effect within that area unless either the rate or the variation or cancellation thereof, as the case may be, has been recommended by the district trade committee, or an opportunity has been given to the committee to report thereon to the Trade Board, and the Trade Board have considered the report (if any) made by the committee.

Appointed members of Trade Boards.

13.—(1) The Board of Trade may appoint such number of persons (including women) as they think fit to be appointed members of Trade Boards.

(2) Such of the appointed members of Trade Boards shall act on each Trade Board or district trade committee as may be directed by the Board of Trade, and, in the case of a Trade Board for a trade in which women are largely employed, at least one of the appointed members acting shall be a woman:

Provided that the number of appointed members acting on the same Trade Board, or the same district trade committee, at the same time, shall be less than half the total number of members representing employers and members representing workers.

APPOINTMENT OF OFFICERS AND OTHER PROVISIONS FOR ENFORCING ACT.

Appointment of officers.

14.—(1) The Board of Trade may appoint such officers as they think necessary for the purpose of investigating any complaints and otherwise securing the proper observance of this Act, and any officers so appointed shall act under the directions of the Board of Trade, or, if the Board of Trade so determine, under the directions of any Trade Board.

(2) The Board of Trade may also, in lieu of or in addition to appointing any officers under the provisions of this section, if they think fit, arrange with any other Government Department for assistance being given in carrying this Act into effect, either generally or in any special cases, by officers of that Department whose duties bring them into relation with any trade to which this Act applies.

Powers of officers.

15.—(1) Any officer appointed by the Board of Trade under this Act, and any officer of any Government Department for the time being assisting in carrying this Act into effect, shall have power for the performance of his duties—

(*a*) to require the production of wages sheets or other record of wages by an employer, and records of payments made to outworkers by persons giving out work, and to inspect and examine the same and copy any material part thereof;

(*b*) to require any person giving out work and any outworker to give any information which it is in his power to give with respect to the names and addresses of the

persons to whom the work is given out or from whom the work is received, as the case may be, and with respect to the payments to be made for the work;

(*c*) at all reasonable times to enter any factory or workshop and any place used for giving out work to outworkers; and

(*d*) to inspect and copy any material part of any list of outworkers kept by an employer or person giving out work to outworkers.

(2) If any person fails to furnish the means required by an officer as necessary for any entry or inspection or the exercise of his powers under this section, or if any person hinders or molests any officer in the exercise of the powers given by this section, or refuses to produce any document or give any information which any officer requires him to produce or give under the powers given by this section, that person shall be liable on summary conviction in respect of each offence to a fine not exceeding five pounds; and, if any person produces any wages sheet, or record of wages, or record of payments, or any list of outworkers to any officer acting in the exercise of the powers given by this section, knowing the same to be false, or furnishes any information to any such officer knowing the same to be false, he shall be liable, on summary conviction, to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, with or without hard labour.

Officers to produce certificates when required.

16. Every officer appointed by the Board of Trade under this Act, and every officer of any Government Department for the time being assisting in carrying this Act into effect, shall be furnished by the Board or Department with a certificate of his appointment, and when acting under any or exercising any power conferred upon him by this Act shall, if so required, produce the said certificate to any person or persons affected.

Power to take and conduct proceedings.

17.—(1) Any officer appointed by the Board of Trade under this Act, and any officer of any Government Department for the time being assisting in carrying this Act into effect, shall have power in pursuance of any special or general directions of the Board of Trade to take proceedings under this Act, and a Trade Board may also take any such proceedings in the name of any officer appointed by the Board of Trade for the time being acting under the directions of the Trade Board in pursuance of this Act, or in the name of their secretary or any of their officers authorised by them.

(2) Any officer appointed by the Board of Trade under this Act, or any officer of any Government Department for the time being assisting in carrying this Act into effect, and the secretary of a Trade Board, or any officer of a Trade Board authorised for the purpose, may, although not a counsel or solicitor or law agent, prosecute or conduct before a court of summary jurisdiction any proceedings arising under this Act.

SUPPLEMENTAL.

Regulations as to mode of giving notice.

18.—(1) The Board of Trade shall make regulations as to the notice to be given of any matter under this Act, with a view to bringing the matter of which notice is to be given so far as practicable to the knowledge of persons affected.

(2) Every occupier of a factory or workshop, or of any place used for giving out work to outworkers, shall, in manner directed by regulations under this section, fix any notices in his factory or workshop or the place used for giving out work to outworkers which he may be required to fix by the regulations, and shall give notice in any other manner, if required by the regulations, to the persons employed by him of any matter of which he is required to give notice under the regulations:

If the occupier of a factory or workshop, or of any place used for giving out work to outworkers, fails to comply with this provision, he shall be liable on summary conviction in respect of each offence to a fine not exceeding forty shillings.

Regulations to be laid before Parliament.

19. Regulations made under this Act shall be laid as soon as possible before both Houses of Parliament, and, if either House within the next forty days after the regulations have been laid before that House resolve that all or any of the regulations ought to be annulled, the regulations shall, after the date of the resolution, be of no effect, without prejudice to the validity of anything done in the meantime thereunder or to the making of any new regulations. If one or more of a set of regulations are annulled, the Board of Trade may, if they think fit, withdraw the whole set.

Interchange of powers between Government Departments.

20.—(1) His Majesty may, by Order in Council, direct that any powers to be exercised or duties to be performed by the Board of Trade under this Act shall be exercised or performed generally, or in any special cases or class of cases, by a Secretary of State, and, while any such Order is in force, this Act shall apply as if, so far as is necessary to give effect to the Order, a Secretary of State were substituted for the Board of Trade.

(2) Any Order in Council under this section may be varied or revoked by any subsequent Order in Council.

Expenses of carrying Act into effect.

21. There shall be paid out of moneys provided by Parliament—

(1) Any expenses, up to an amount sanctioned by the Treasury, which may be incurred with the authority or sanction of the Board of Trade by Trade Boards or their committees in carrying into effect this Act; and

(2) To appointed members and secretaries of Trade Boards and to officers appointed by the Board of Trade under this Act such remuneration and expenses as may be sanctioned by the Treasury; and

(3) To representative members of Trade Boards and members (other than appointed members) of district trade

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committees any expenses (including compensation for loss of time), up to an amount sanctioned by the Treasury, which may be incurred by them in the performance of their duties as such members; and

(4) Any expenses, up to an amount sanctioned by the Treasury, which may be incurred by the Board of Trade in making inquiries, or procuring information, or taking any preliminary steps with respect to the application of this Act to any trade to which the Act does not apply, including the expenses of obtaining a Provisional Order, or promoting any Bill to confirm any Provisional Order made under, or in pursuance of, the provisions of this Act.

Short title and commencement.

22.—(1) This Act may be cited as the Trade Boards Act, 1909.

(2) This Act shall come into operation on the first day of January nineteen hundred and ten.

SCHEDULE.

TRADES TO WHICH THE ACT APPLIES WITHOUT PROVISIONAL ORDER.

1. Ready-made and wholesale bespoke tailoring and any other branch of tailoring in which the Board of Trade consider that the system of manufacture is generally similar to that prevailing in the wholesale trade.

2. The making of boxes or parts thereof made wholly or partially of paper, cardboard, chip, or similar material.

3. Machine-made lace and net finishing and mending or darning operations of lace curtain finishing.

4. Hammered and dollied or tommied chain-making.

CHAPTER 23.

An Act to remove the Statutory Limitation on the Salary of the President of the Board of Trade.

[20th October 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Removal of limitation on salary of President of Board of Trade. 7 Geo. 4. c. 32.

1.—(1) The Board of Trade (President) Act, 1826, which limits the salary to be paid to the President of the Board of Trade, is hereby repealed, and there shall be paid, out of moneys provided by Parliament, to the President of the Board of Trade such annual salary as Parliament may determine.

(2) This Act shall not apply in the case of the person who at the time of the passing of this Act holds the office of President of the Board of Trade, so long as he holds that office under his present appointment.

Short title.

2. This Act may be cited as the Board of Trade Act, 1909.

CHAPTER 24.

An Act to enable the Department of Agriculture and Technical Instruction for Ireland to undertake Prosecutions in certain cases under the Merchandise Marks Act, 1887. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Official prosecutions under 50 & 51 Vict. c. 28.

1.—(1) The Department of Agriculture and Technical Instruction for Ireland (in this Act referred to as "the Department") may, with the concurrence of the Lord Chancellor of Ireland and of the Board of Trade, make regulations providing that, in cases which appear to the Department to relate to Irish agricultural produce, or to the produce of any other Irish rural industry, and to affect the general interests of the country, or of a section of the community, or of a trade, the prosecution in Ireland of offences under the Merchandise Marks Act, 1887, shall be undertaken by the Department, and prescribing the conditions on which such prosecutions are to be so undertaken.

50 & 51 Vict. c. 28.

(2) All regulations made under this section shall be laid before Parliament within three weeks after they are made if Parliament is then sitting, and if Parliament is not then sitting within three weeks after the beginning of the next session of Parliament, and shall have effect as if enacted by this Act.

(3) Nothing in this Act shall affect the power of any person or authority to undertake prosecutions otherwise than under the said regulations.

(4) In this section the expression "rural industries" means the rural industries mentioned in subsection one of section thirty of the Agriculture and Technical Instruction (Ireland) Act, 1890.

62 & 63 Vict. c. 50.

(5) The expenses of prosecutions undertaken by the Department in pursuance of this section shall be paid out of moneys provided by Parliament.

Extent and short title.

2. This Act shall apply to Ireland only, and may be cited as the Merchandise Marks (Ireland) Act, 1909.

CHAPTER 25.

An Act to amend the Fisheries (Ireland) Acts, 1842 to 1901. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 5 & 6 Vict. c. 106. s. 33 with respect to mode of altering close season and expenses of application.

1.—(1) A decision under section thirty-three of the Fisheries (Ireland) Act, 1842, altering a close season shall be given effect to by the making of a byelaw, and sections ninety-one to ninety-three of the said Act of 1842 shall apply to any such byelaw.

(2) Any expenses incurred by the Department of Agriculture and Technical Instruction for Ireland (in this Act referred to as "the Department") in relation to an application under the said section thirty-three, or proceedings consequent thereon, shall, subject to the provisions of this section, be paid out of money provided by Parliament.

(3) The Department may, if they think fit, refuse to call a meeting under the said section thirty-three, unless and until the applicant deposits in the office of the Department such sum as will be in their opinion sufficient to defray the said expenses.

(4) The Department, if, after holding the inquiry, they consider that the application ought not to have been made, may order that the said expenses, or such portion thereof as the Department may determine, shall be defrayed by the applicant, and in such case any money lodged under the foregoing provisions of this section shall be applied for the purpose of defraying the same, and, if the sum so deposited is not sufficient, or if no money has been lodged under this section, then the balance or the full amount, as the case may be, of the expenses ordered to be defrayed by the applicant shall be paid by him, and may be recovered from him before a court of summary jurisdiction as a debt.

(5) Any money deposited under this section which is not applied for the purposes of the said expenses shall be paid to the applicant.

Short title and construction.

2. This Act may be cited as the Fisheries (Ireland) Act, 1909, and may be cited and shall be construed as one with the Fisheries (Ireland) Acts, 1842 to 1901.

Repeal.

3. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

Section 3.

SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Vict. c. 106.	The Fisheries (Ireland) Act, 1842	Section thirty-four.
11 & 12 Vict. c. 92.	The Fisheries (Ireland) Act, 1848	Section thirty-nine so far as unrepealed.
58 & 59 Vict. c. 29.	The Fisheries Close Season (Ireland) Act, 1895.	The whole Act.

CHAPTER 26.

An Act to provide for the Payment of Fees to Veterinary Surgeons and Practitioners for Notification of Diseases of Animals. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Fees for notification of diseases.

1. The local authority, for the purposes of the Diseases of Animals Acts, 1894 to 1903, shall pay to a veterinary surgeon or veterinary practitioner, in respect of every notification of disease made by him to the local authority or any officer of the local authority in pursuance of an order under those Acts requiring such a notification, such fee not exceeding two shillings and sixpence as may be prescribed by the order.

Short title and construction.

2. This Act may be cited as the Diseases of Animals Act, 1909, and shall be construed as one with the Diseases of Animals Acts, 1894 to 1903, and those Acts and this Act may be cited together as the Diseases of Animals Acts, 1894 to 1909.

CHAPTER 27.

An Act to provide for the appointment of women as members of visiting committees for prisons in Scotland. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) This Act shall extend to Scotland only, and shall be construed with the Prisons (Scotland) Act, 1877. Extent, construction, and short title.

(2) This Act may be cited as the Prisons (Scotland) Act, 1909, and this Act and the Prisons (Scotland) Acts, 1860 to 1904, may be cited as the Prisons (Scotland) Acts, 1860 to 1909. 40 & 41 Vict. c. 53

2. The Secretary for Scotland may annually appoint, to be additional members of the visiting committee for any prison where female prisoners are received, a woman, or such number of women as shall not exceed one-third of the prescribed number of such committee. Appointment of women on visiting committees

CHAPTER 28.

An Act to remove doubts as to the manner in which accused persons may be detained in custody, pending trial, under the provisions of the Summary Jurisdiction (Scotland) Act, 1908. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act shall extend to Scotland only, and may be cited as the Summary Jurisdiction (Scotland) Act, 1908, Amendment Act, 1909, and the Summary Jurisdiction (Scotland) Act, 1908, and this Act may be cited together as the Summary Jurisdiction (Scotland) Acts. Extent, citation, and short title. 8 Edw. 7. c. 65.

2. It is hereby declared that where, in any case, prior to the commencement of the Summary Jurisdiction (Scotland) Act, 1908, it was lawful, pending trial, to exercise the power of detaining an accused person in custody, otherwise than in prison, nothing contained in the said Act shall be construed as making it unlawful, or as having at any time prior to the passing of this Act made it unlawful, in the like case to exercise the like power of detention. Power to detain, pending trial, otherwise than in prison.

CHAPTER 29.

An Act to make provision for the better administration by Central and Local Authorities in England and Wales of the enactments relating to Education. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of 2 Edw 7 c. 42. s. 17, to powers under other Acts.

1. The provisions of section seventeen of the Education Act, 1902, requiring that all matters relating to the exercise by a local education authority or council having powers under that Act of their powers under that Act shall stand referred to the education committee constituted under that section, and enabling the local education authority or council to delegate to the education committee so constituted any of their powers under that Act, shall apply not only with respect to the powers conferred on the local education authority or council under that Act, but also to any powers connected with education conferred by or under any other Act, scheme, or order, on the authority or council, expressly as a local education authority or as a council having powers under the Education Act, 1902, except the power of raising a rate or borrowing money.

Accounts of managers of a school provided under Part II. of 2 Edw. 7. c. 42

2. Where any receipts or payments of money are entrusted by a council having powers under Part II. of the Education Act, 1902, to the managers of any school provided by them for the purpose of supplying education other than elementary, the accounts of those receipts and payments shall be accounts of the council under the Education Act, 1902, but the auditor of those accounts shall have the same power with respect to the managers as he would have if the managers were officers of the council.

Joint action under Part II. of the Education Act, 1902.

3. For the purpose of establishing or maintaining any school or college which any council have power to establish or maintain under Part II. of the Education Act, 1902, the council shall have power and shall be deemed always to have had power to unite with any other council having powers under that Part of that Act, on such terms as to payment, the appointment of a joint body of managers, and otherwise, as may be or may have been agreed between them.

Validity of undertakings by students on entering training colleges.

4. Where with a view to following the profession of teacher a person has, in pursuance of regulations made by the Board of Education, entered into an undertaking that he will, in consideration of any grant made by the Board in respect of his maintenance, education, and training, complete the course of education or training specified in the undertaking, and will subsequently follow the profession of teacher in the manner and for the period specified in the undertaking, and in the event of failure to do so will repay to the Board such proportion of the grants made by the Board as is specified in the undertaking, the undertaking shall be binding on him notwithstanding that he was an infant at the time when the undertaking was given, and any sums repayable in accordance with the undertaking shall be recoverable as debts to the Crown.

Appropriation to other purposes of land acquired for educational purposes

5. The council of any county, borough, or urban district may, with the consent of the Board of Education, appropriate any land held by them in their capacity as local education authority for any of the purposes of the council, otherwise than

in their capacity as local education authority, approved by the Local Government Board:

Provided that the council shall not on any lands so appropriated—

(*a*) create or permit any nuisance; or

(*b*) sink any well for the public supply of water or construct any cemetery, burial ground, destructor, station for generating electricity, sewage farm, or hospital for infectious disease, unless, after local inquiry and consideration of any objections made by persons affected, the Local Government Board, subject to such conditions as they think fit, authorise the work or construction.

Proof of certificate under 62 & 63 Vict. c. 32. s. 1, legal proceedings.

6. In any legal proceedings by a local education authority, the production of a certificate, purporting to be signed by a duly qualified practitioner approved by the Board of Education for the purposes of subsection three of section one of the Elementary Education (Defective and Epileptic Children) Act, 1899, to the effect that a child is defective or epileptic within the meaning of that section, shall be sufficient evidence of the facts therein stated, unless the parent or guardian of the child referred to in the certificate requires the medical practitioner to be called as a witness; but it shall be lawful for the parent or guardian to give evidence in proof that the certificate is incorrect.

Short title and construction.

7. This Act may be cited as the Education (Administrative Provisions) Act, 1909, and shall be construed as one with the Education Acts, 1870 to 1907, and those Acts and this Act may be cited together as the Education Acts, 1870 to 1909.

CHAPTER 30.

An Act to make better provision for securing safety at Cinematograph and other Exhibitions.

[25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision against cinematograph exhibition except in licensed premises.

1. An exhibition of pictures or other optical effects by means of a cinematograph, or other similar apparatus, for the purposes of which inflammable films are used, shall not be given unless the regulations made by the Secretary of State for securing safety are complied with, or, save as otherwise expressly provided by this Act, elsewhere than in premises licensed for the purpose in accordance with the provisions of this Act.

Provisions as to licences.

2.—(1) A county council may grant licences to such persons as they think fit to use the premises specified in the licence for the purposes aforesaid on such terms and conditions and under such restrictions as, subject to regulations of the Secretary of State, the council may by the respective licences determine.

(2) A licence shall be in force for one year or for such shorter period as the council on the grant of the licence may determine, unless the licence has been previously revoked as herein-after provided.

(3) A county council may transfer any licence granted by them to such other person as they think fit.

(4) An applicant for a licence or transfer of a licence shall give not less than seven days' notice in writing to the county council and to the chief officer of police of the police area in which the premises are situated of his intention to apply for a licence or transfer:

Provided that it shall not be necessary to give any notice where the application is for the renewal of an existing licence held by the applicant for the same premises.

(5) There shall be paid in respect of the grant, renewal, or transfer of a licence such fees as the county council may fix, not exceeding in the case of a grant or renewal for one year one pound, or in the case of a grant or renewal for any less period five shillings for every month for which it is granted or renewed, so however that the aggregate of the fees payable in any year shall not exceed one pound, or, in the case of transfer, five shillings.

(6) For the purposes of this Act, the expressions "police area" and "chief officer of police," as respects the city of London, mean the city and the Commissioner of City Police, and elsewhere have the same meanings as in the Police Act, 1890.

53 & 54 Vict. c. 45.

Penalties.

3. If the owner of a cinematograph or other apparatus uses the apparatus, or allows it to be used, or if the occupier of any premises allows those premises to be used, in contravention of the provisions of this Act or the regulations made thereunder, or of the conditions or restrictions upon or subject to which any licence relating to the premises has been granted under this Act, he shall be liable, on summary conviction, to a fine not exceeding twenty pounds, and in the case of a continuing offence to a further penalty of five pounds for each day during which the offence continues, and the licence (if any) shall be liable to be revoked by the county council.

Power of entry.

4. A constable or any officer appointed for the purpose by a county council may at all reasonable times enter any premises, whether licensed or not, in which he has reason to believe that such an exhibition as aforesaid is being or is about to be given, with a view to seeing whether the provisions of this Act, or any regulations made thereunder, and the conditions of any licence granted under this Act, have been complied with, and, if any person prevents or obstructs the entry of a constable or any

officer appointed as aforesaid, he shall be liable, on summary conviction, to a penalty not exceeding twenty pounds.

Power of county councils to delegate.

5. Without prejudice to any other powers of delegation, whether to committees of the council or to district councils, a county council may, with or without any restrictions or conditions as they may think fit, delegate to justices sitting in petty sessions any of the powers conferred on the council by this Act.

Application to county boroughs.

6. The provisions of this Act shall apply in the case of a county borough as if the borough council were a county council, and the expenses of the borough council shall be defrayed out of the borough fund or borough rate.

Application of Act to special premises.

7.—(1) Where the premises are premises licensed by the Lord Chamberlain the powers of the county council under this Act shall, as respects those premises, be exerciseable by the Lord Chamberlain instead of by the county council.

(2) Where the premises in which it is proposed to give such an exhibition as aforesaid are premises used occasionally and exceptionally only, and not on more than six days in any one calendar year, for the purposes of such an exhibition, it shall not be necessary to obtain a licence for those premises under this Act if the occupier thereof has given to the county council and to the chief officer of police of the police area, not less than seven days before the exhibition, notice in writing of his intention so to use the premises, and complies with the regulations made by the Secretary of State under this Act, and, subject to such regulations, with any conditions imposed by the county council, and notified to the occupier in writing.

(3) Where it is proposed to give any such exhibition as aforesaid in any building or structure of a moveable character, it shall not be necessary to obtain a licence under this Act from the council of the county in which the exhibition is to be given if the owner of the building or structure—

(*a*) has been granted a licence in respect of that building or structure by the council of the county in which he ordinarily resides, or by any authority to whom that council may have delegated the powers conferred on them by this Act; and

(*b*) has given to the council of the county and to the chief officer of police of the police area in which it is proposed to give the exhibition, not less than two days before the exhibition, notice in writing of his intention to give the exhibition; and

(*c*) complies with the regulations made by the Secretary of State under this Act, and, subject to such regulations, with any conditions imposed by the county council, and notified in writing to the owner.

(4) This Act shall not apply to an exhibition given in a private dwelling-house to which the public are not admitted, whether on payment or otherwise.

Application to Scotland.

8. This Act shall extend to Scotland subject to the following modifications:—

(1) For references to the Secretary of State there shall be substituted references to the Secretary for Scotland:

53 & 54 Vict. c. 67.

(2) For the reference to the Police Act, 1890, there shall be substituted a reference to the Police (Scotland) Act, 1890:

(3) The expression "county borough" means a royal, parliamentary, or police burgh; and the expression "borough council" means the magistrates of the burgh; and the expression "borough fund or borough rate" means any rate within the burgh leviable by the town council equally on owners and occupiers:

(4) The provision relating to the delegation of powers shall not apply.

Application to Ireland.

9. This Act shall extend to Ireland subject to the following modifications:—

(1) For references to the Secretary of State there shall be substituted references to the Lord Lieutenant:

(2) The provision of this Act relating to the delegation of powers shall not apply:

(3) Any of the powers conferred on the county council by this Act may be exercised by any officer of the council authorised in writing by the council in that behalf for such period and subject to such restrictions as the council think fit:

(4) In any urban district other than a county borough, and in any town, the provisions of this Act shall apply as if the council of the district and the commissioners of the town, as the case may be, were a county council:

(5) The expenses incurred in the execution of this Act shall—

(*a*) in the case of the council of any county other than a county borough, be defrayed out of the poor rate and raised over so much of the county as is not included in any urban district or town;

(*b*) in the case of the council of any county borough or other urban district, be defrayed out of any rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1907, as if incurred for those purposes;

(*c*) in the case of the commissioners of any town, be defrayed out of the rate leviable under section sixty of the Towns Improvement (Ireland) Act, 1854: Provided that the limits imposed upon that rate by that section may be exceeded for the purpose of raising the expenses incurred under this Act by not more than one penny in the pound:

17 & 18 Vict. c. 103.

(6) The expression "town" means any town as defined by the Local Government (Ireland) Act, 1898, not being an urban district:

61 & 62 Vict. c. 37.

(7) The expressions "police area" and "chief officer of police" mean, as respects the police district of Dublin Metropolis, that district and the chief commissioner of the police for that district, and elsewhere a police district and the county inspector of the Royal Irish Constabulary

10. This Act may be cited as the Cinematograph Act, 1909, and shall come into operation on the first day of January nineteen hundred and ten

Short title and commencement.

CHAPTER 31.

An Act to prevent the spread of Noxious Weeds in Ireland, and to make provision for the testing of Agricultural Seeds. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

1.—(1) The Department of Agriculture and Technical Instruction for Ireland (in this Act referred to as "the Department") may, with the consent of the council of any county, make an order declaring that throughout the county all plants of any species to which this section applies are noxious weeds for the purposes of this Part of this Act.

Definition of noxious weeds by the Department of Agriculture.

(2) The species of plants to which this section applies are ragwort, charlock, coltsfoot, thistle, and dock, and the order may include all or any of those species.

(3) The consent of the county council shall be signified by a resolution passed at a meeting of the council, and a copy of the resolution under the seal of the council shall be accepted as sufficient evidence of such consent.

(4) The Department may, and at the request of the county council, shall revoke any order made under this section.

2.—(1) Where the Department are satisfied that there are noxious weeds growing upon any land, they may serve upon the occupier of the land a notice in writing requiring him to cut down or destroy those weeds in the manner and within the time specified in the notice.

Destruction of noxious weeds.

(2) If any occupier upon whom a notice is served under this section fails to carry out the requirements of the notice within the time therein specified, he shall be guilty of an offence under this Act, and shall be liable on summary conviction to a penalty not exceeding, for the first offence, five pounds, and, for the second or any subsequent offence, ten pounds.

Entry on premises.

3. Any officer of the Department shall have power at all reasonable hours to enter upon any land for the purpose of ascertaining whether any noxious weeds are growing thereon.

Notices.

4.—(1) Any notice which the Department are authorised to serve under this Act shall be sufficiently authenticated if signed by the secretary or other officer of the Department.

(2) Any such notice may be served by delivering the same or a true copy thereof either to or at the usual or last-known residence of the person to whom it is addressed, or where addressed to the occupier of premises then to some person on the premises, or, if there is no person on the premises who can be so served, then by fixing the same or a true copy thereof on some conspicuous part of the premises; it may also be served by sending the same or a true copy thereof by post addressed to a person at such residence or premises as above mentioned.

(3) Any such notice may be addressed by the description of the "occupier" of the premises (naming them) in respect of which the notice is served without further name or description.

PART II.

AGRICULTURAL SEEDS.

Power to examine and take samples of agricultural seeds.

5.—(1) Any officer of the Department shall have power at all reasonable hours to enter the shop, store, or other premises of any person who sells or exposes or keeps for sale agricultural seeds for sowing, and to examine and take samples of any agricultural seeds that are upon the premises.

(2) The person on whose premises a sample of agricultural seeds is taken under this section shall, if the officer requires, give the name and address of the person from whom he procured the seeds; and, if he refuses to give such name and address, or wilfully gives a false name or address, he shall be guilty of an offence under this Act and shall be liable on summary conviction to a penalty not exceeding ten pounds.

Testing of agricultural seeds and publication of results.

6. The Department may cause any sample of agricultural seeds taken under this Act to be tested for purity and germination, and may publish in such manner as they think fit the results of the tests and the names and addresses of the persons upon whose premises the samples were taken, and of the persons from whom the seeds were stated to have been procured.

PART III.

GENERAL.

Obstruction of officers.

7. If any person refuses to allow any officer of the Department to enter any land or premises which he is entitled to enter under this Act, or obstructs or impedes him in the execution of his duty, he shall be guilty of an offence under this Act and

shall be liable on summary conviction to a penalty not exceeding five pounds.

Prosecution of offences.

8.—(1) Offences under this Act may be prosecuted, and penalties recoverable under this Act may be recovered, in a summary manner.

(2) All penalties recovered under this Act shall, notwithstanding any provision in any other Act, be paid to the Department, and shall be applied in aid of the expenses of the Department in the execution of this Act.

Interpretation.

9. In this Act, unless the context otherwise requires,—

The expression "noxious weed" means any plant declared by an order of the Department under this Act to be a noxious weed in any county to which the order applies:

The expression "agricultural seeds" means the seeds of grass, clover, flax, cereals, turnips, rape, mangel, carrots, cabbage, or parsnips:

The expression "occupier" shall be deemed to include—

(*a*) in the case of any public road, the county or district council by whom the road is maintained;

(*b*) in the case of any land the occupier of which (being an individual) is absent from Ireland, any agent or other person entrusted with the management of the land on his behalf.

Extent, commencement, and short title.

10. This Act shall apply to Ireland only, and shall come into operation on the first day of January nineteen hundred and ten, and may be cited as the Weeds and Agricultural Seeds (Ireland) Act, 1909.

CHAPTER 32.

An Act to empower Local Authorities in Ireland to strike a Rate for advertising Health Resorts and Watering-Places. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of local authority to strike a rate for advertisement.

1. From and after the passing of this Act, the council of any urban or rural district, or the commissioners of any town not being an urban district, may advertise the advantages and amenities of the district, or any part of it, or of the town, as a health resort or watering-place, by the insertion of advertisements in newspapers not published within the area of charge, or by placards or otherwise, as they may see fit, and may expend money for the purpose, provided that the sums so expended shall not in any one financial year exceed the

amount that could be raised by a rate of one penny in the pound on the rateable value of the district or town.

Expenses.

2. The expenses incurred under this Act by a district council shall be defrayed out of any rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1907, in like manner as if they had been incurred for the purposes of those Acts, and the expenses incurred under this Act by the commissioners of a town not being an urban district shall be raised by means of the rate levied by them under section sixty of the Towns Improvement (Ireland) Act, 1854, but shall be excluded in ascertaining any limit imposed by law upon such rate.

17 & 18 Vict. c. 103.

Short title and extent.

3. This Act may be cited as the Health Resorts and Watering-Places (Ireland) Act, 1909, and shall apply to Ireland only.

CHAPTER 33.

An Act to extend the Wild Animals in Captivity Protection Act, 1900, to Scotland. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of 63 & 64 Vict. c. 33 to Scotland.

1. Section five of the Wild Animals in Captivity Protection Act, 1900, is hereby repealed, and the said Act shall apply to Scotland with the substitution of the Cruelty to Animals (Scotland) Acts, 1850 and 1895, for the Cruelty to Animals Acts, 1849 and 1854.

13 & 14 Vict. c. 92. 58 & 59 Vict. c. 13. 12 & 13 Vict. c. 92. 17 & 18 Vict. c. 60.

Short title.

2. This Act may be cited as the Wild Animals in Captivity Protection (Scotland) Act, 1909.

CHAPTER 34.

An Act to amend the Acts relating to Electric Lighting. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Compulsory acquisition of land for generating stations.

1.—(1) The Board of Trade may by Provisional Order authorise any local authority, company, or person, who is authorised by the same or any previous Provisional Order or by

Act of Parliament to supply electricity in any area, to acquire compulsorily, or to use, for the purpose of a generating station any land specified in the Order, whether situated within or without the area of supply, and, in the case of a local authority, whether situated within or without their district.

(2) For the purpose of the acquisition of land authorised to be taken compulsorily under any such Provisional Order, the provisions of the Lands Clauses Acts which relate to the purchase and taking of lands otherwise than by agreement, and to the entry upon lands by the promoters of the undertaking, are, subject to the modifications set out in the First Schedule to this Act, incorporated with the Electric Lighting Acts, as well as the provisions of those Acts already so incorporated by the Electric Lighting Act, 1882. 45 & 46 Vict. c. 56.

(3) Rules made by the Board of Trade under section five of the Electric Lighting Act, 1882, shall provide for proper notice being given of an application for a Provisional Order, by which it is proposed to authorise the compulsory acquisition or use of land for the purpose of a generating station, to owners, lessees, and occupiers of land, and also for public notice being given of the proposal by advertisement.

Construction of generating station on land acquired by agreement.

2. It shall not be lawful for any undertakers after the passing of this Act, except with the consent of the Board of Trade, to construct any generating station on any land acquired by them after the thirty-first day of March one thousand nine hundred and nine unless the construction is authorised and the land is specified in a special Act or Provisional Order, and the Board of Trade shall not in any case give such consent until notice has been given, by advertisement or otherwise, as the Board of Trade may direct, to the local authority of the district in which the land is situate, and to owners and lessees of land situate within three hundred yards of the land upon which the generating station is to be constructed, and an opportunity has been given to such local authority, owners, and lessees, of stating any objections they may have thereto.

This section shall not apply to any station for transforming, converting, or distributing electrical energy.

Breaking up streets, &c., outside area of supply.

3. For the purpose of enabling electricity to be brought into an area of supply from a generating station belonging to any undertakers situated outside that area, the Board of Trade may by Provisional Order apply to any roads, railways, or tramways situated outside that area the provisions of the Electric Lighting Acts which authorise, or enable the Board of Trade to authorise, the breaking up of any road, railway, or tramway, so far as those provisions do not already so apply:

Provided that a Provisional Order authorising the breaking up of roads outside the area of supply shall not be granted by the Board of Trade except with the consent of the local authority in whose district the road is situate, unless the Board of Trade, in any case in which the consent of any such local authority is

refused, are of opinion that, having regard to all the circumstances of the case, such consent ought to be dispensed with, and in that case they shall make a special report to Parliament stating the grounds on which they have dispensed with the consent.

Supply in bulk.

4.—(1) The Board of Trade, unless they are of opinion that, by reason of the character or magnitude of the proposed undertaking, the matter ought to be dealt with by private Bill, may by Provisional Order—

(*a*) authorise any local authority or company to supply electricity in bulk;

(*b*) provide for any supply so authorised being compulsory; and

(*c*) make such other provisions as appear to them necessary for adapting the Electric Lighting Acts to any case where a local authority or company are authorised to supply electricity in bulk, including the application to roads, railways, and tramways along the route along which lines are authorised to be laid for the purpose of giving the supply in bulk of the provisions of those Acts which authorise or enable the Board of Trade to authorise the breaking up of any road, railway, or tramway:

Provided that a Provisional Order authorising the breaking up of roads outside the area of supply of the local authority or company by whom the supply is to be given shall not be granted by the Board of Trade except with the consent of the local authority in whose district the road is situate, unless the Board of Trade, in any case in which the consent of any such local authority is refused, are of opinion that, having regard to all the circumstances of the case, such consent ought to be dispensed with, and in that case they shall make a special report to Parliament stating the ground on which they have dispensed with the consent.

(2) If the Board of Trade refuse to grant a Provisional Order under this section, on the ground that the matter ought to be dealt with by a private Bill, the notices published and served for the purposes of the proposed Order shall, subject to Standing Orders, be held to have been published and served for a private Bill applying for similar powers:

Provided that the applicants for the Order shall, by notice served in the prescribed manner and within the prescribed time, inform all opponents of their intention to proceed by way of private Bill, and, subject to Standing Orders, the application for a Provisional Order shall be deemed and taken to be a petition for leave to bring in a private Bill, and the applicants shall also give such additional notice (if any) as may be required by Standing Orders.

(3) The Board of Trade may, if they think fit, by order permit any undertakers to supply electricity in bulk to any other undertakers upon such terms and subject to such con-

ditions as may be specified in the order, if the supply can be given without breaking up any streets except such as the undertakers giving or the undertakers receiving the supply are authorised to break up; but the Board of Trade shall not in any case make such an order until notice of the intention to make the order has been given by advertisement or otherwise as the Board of Trade may direct, and an opportunity has been given to any person who appears to the Board to be affected of stating any objections he may have thereto.

Supply of electricity to railways, tramways, and canals partly outside area of supply

5.—(1) Any local authority, company, or person authorised to supply electricity in any area may, with the consent of the Board of Trade, supply at any point within that area electricity for the purposes of haulage or traction on any railway, tramway, or canal situate partly within and partly without that area, and for the purposes of lighting vehicles and vessels used on any such railway, tramway, or canal, but the Board of Trade shall not in any case give any such consent until notice of the application for the consent has been given by advertisement or otherwise in such manner as the Board of Trade may direct, and an opportunity has been given to any person who appears to the Board to be affected of stating any objections he may have thereto.

(2) The Board of Trade may by Provisional Order authorise any such local authority, company, or person so to supply electricity to be used for purposes incidental to the working or lighting of the railway, tramway, or canal, other than the purposes aforesaid.

(3) A company, local authority, or body receiving a supply of electricity under this section shall not use the electricity in such manner as to cause or to be likely to cause any interference with Government observatories or laboratories, or observatories or laboratories now or hereafter erected, owned, or managed in pursuance of any present or future statutory enactment, but this subsection shall not apply to any such company, local authority, or body who, by any Act of Parliament, or Order confirmed by or having the effect of an Act of Parliament, containing provisions for the protection of such observatories or laboratories, are authorised to use electricity for the purposes for which a supply is authorised to be given under this section.

Supply to premises outside area of supply in certain cases.

6.—(1) Where it is proved to the satisfaction of the Board of Trade that the occupier of any premises is desirous of obtaining a supply of electricity from any undertakers within whose area of supply those premises are not situate, the Board of Trade may, if the local authority within whose district the premises are situate, and the undertakers (if any) authorised to supply electricity to such premises, consent, by order permit the first-mentioned undertakers to give a supply to those premises on such terms and subject to such conditions as the Board think fit:

Provided that, if in the opinion of the Board of Trade any consent required by this subsection is unreasonably withheld,

the Board of Trade may proceed as if such consent had been given.

(2) An order given by the Board of Trade under this section may, for the purpose of enabling a supply to be given thereunder, confer any such powers and impose any such duties on the undertakers as would have been conferred or imposed by the Electric Lighting Acts and as might have been conferred or imposed by Provisional Order if the premises and the route along which lines are to be laid for the purpose of giving the supply were within the area of supply of the undertakers, anything in the special Act or Order relating to the undertaking to the contrary notwithstanding.

(3) If the undertakers on whom powers are conferred by an order under this section are not a local authority, the works and lines erected and laid under the powers so conferred shall, so long as the order remains in force, be deemed, for the purposes of the provisions as to purchase applicable to the undertaking, to form part of the undertaking within the district of the local authority which comprises the area of supply of the undertakers, or, if that area is comprised within the districts of more than one local authority, within such of those districts as the Board of Trade may determine.

(4) Nothing in this section shall enable the Board of Trade, without the consent of the undertakers within whose area of supply the premises are situate, to give such permission as aforesaid to any undertakers where the last-mentioned undertakers are by any Act of Parliament specifically prohibited from supplying electricity within the area of the first-mentioned undertakers.

Provisions as to right of local authority to purchase.

7.—(1) Where any generating station, mains, or other works of a company used solely for supplying electricity within the district of a local authority are situated outside the district of that local authority, the generating station, mains, and other works so used shall for the purposes of the provisions of the Electric Lighting Acts, and any Provisional Order conferring on local authorities power to purchase undertakings, be deemed to be situated within the district of that local authority, and, where any generating station, mains, and other works are used solely for supplying electricity within the districts of two or more local authorities, but are not situated within any of those districts, the Board of Trade may, on the application of all or any of those authorities, by Provisional Order apply this provision subject to such adaptations as the circumstances of the case may require:

Provided that this subsection shall not, except by agreement between the local authority and the company concerned, apply to any generating station, mains, or other works authorised by a special Act passed before the passing of this Act.

(2) Any local authority having power under the Electric Lighting Acts or any Provisional Order to purchase so much of

the undertaking of a company as is within the district of that local authority may, with the consent of and upon such terms and conditions as may be approved by the Board of Trade, and, in the case of an undertaking authorised before the commencement of this Act, with the consent of the company, transfer their rights of purchase to any other local authority having power to purchase so much of the same undertaking as is within the district of that last-mentioned local authority, and the deed of transfer may contain such consequential provisions as may be necessary for giving effect to the transfer.

Exercise of electric lighting powers by authorities jointly.

8. The Board of Trade may, with the concurrence of the Local Government Board. by Provisional Order make such provisions as appear to them necessary or expedient, by the constitution of a joint committee or joint board or otherwise, for the joint exercise of all or any of the powers under the Electric Lighting Acts, or this Act, or any Provisional Order, by two or more local authorities as respects any area of supply consisting of the whole or parts of the districts of those authorities, in any case where it appears to them that the joint exercise of those powers would be expedient, and any such Provisional Order may contain such provisions as may appear necessary or proper for adapting any of the provisions of the Electric Lighting Acts, or this Act, or any such Provisional Order, to the case of any committee or board so constituted.

July notices.

9. The Board of Trade may grant a Provisional Order notwithstanding that the notice required by section four of the Electric Lighting Act, 1882, to be given to a local authority on or before the first day of July has not been given in the case of any local authority which waives its right to receive such a notice, and no such notice need be given to the local authority of a district in which it is not intended to take power to distribute electricity.

Revision of maximum price.

62 & 63 Vict. c. 19.

10.—(1) With a view to making five years the ordinary period of revision of maximum price and allowing representations as to revision to be made by consumers, subsection (2) of section thirty-two of the schedule to the Electric Lighting (Clauses) Act, 1899, shall, for the purpose of incorporation with any Act or Order passed or confirmed after the passing of this Act, be read as if the words "five years" were substituted for the words "seven years," and the words "or such "number of consumers, not less than twenty, as the Board "of Trade consider sufficient, having regard to the population "of the area of supply," were inserted after the words "either the local authority or the undertakers."

(2) Where any Act or Provisional Order passed or confirmed before the commencement of this Act enables the Board of Trade to revise or vary any maximum prices to be charged for electricity, that Act or Order shall be construed —

(*a*) so as to enable the revision or variation to take place at an interval of five years after the commencement of

the Act or Order, or the last revision, in cases where a longer interval is fixed by the Act or Order; and

(*b*) so as to enable the power of revision or variation to be exercised on the representation of such number of consumers, not less than twenty, as the Board of Trade consider sufficient, having regard to the population of the area of supply, in cases where under the Act or Order such a power either cannot be exercised on such a representation, or can be exercised only on the representation of a number of consumers greater than twenty.

Certification of meters.

11.—(1) The sections set out in the Second Schedule to this Act shall be substituted for sections forty-nine, fifty, fifty-one, and fifty-three of the schedule to the Electric Lighting (Clauses) Act, 1899, as incorporated with any Act or Order passed or confirmed after the commencement of this Act.

(2) The provisions contained in the sections so set out shall, subject to such adaptations (if any) as may be necessary, be substituted for any corresponding provisions as to the use, examination, and certification of meters, and their connection and disconnection with electric lines, contained in or incorporated with any special Act or Provisional Order relating to the supply of electricity passed or confirmed before the commencement of this Act.

Accounts of local authorities.

12. For the purposes of section nine of the Electric Lighting Act, 1882, the accounts of any undertakers being a local authority shall be made up to the thirty-first day of March in each year, and accordingly as respects those accounts the thirtieth day of June shall be substituted in that section for the twenty-fifth day of March, and the thirty-first day of March for the thirty-first day of December: Provided that, if any such undertakers show to the Board of Trade that some other dates are, owing to special circumstances, more convenient in their case than the thirty-first day of March and the thirtieth day of June, the Board of Trade may substitute such other dates for the said thirty-first day of March and thirtieth day of June, and this section shall as respects those undertakers be construed with the substituted dates.

Return by Board of Trade as to auditors' reports.

13. The Board of Trade shall from time to time make a return to Parliament giving such particulars as they may think proper with regard to the reports made by any auditors appointed by them to audit the accounts of any undertakers, and any action taken on such reports by the Board and by the undertakers.

Restriction on transfer of powers, &c., of undertakers.

14.—(1) A local authority, company, or person who have obtained a licence, order, or special Act for the supply of electricity shall not, by transfer or otherwise, divest themselves of any of the powers, rights, or obligations conferred or imposed upon them by the Electric Lighting Acts, or by any licence, order, or special Act, otherwise than under and in accordance

with a provision contained in a licence, order, or special Act authorising such a divestiture.

(2) Section eleven of the Electric Lighting Act, 1882, shall be repealed from "but no local authority" to the end of the section.

Supply of electricity to premises having separate supply.

15. Notwithstanding anything in the Electric Lighting Acts or in any Act of Parliament or Provisional Order authorising an undertaking, a person shall not be entitled to demand or to continue to receive from undertakers authorised to supply electricity in any area a supply of electricity for any premises having a separate supply, unless he has agreed with the undertakers to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure, and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises the sum to be so paid shall be determined in default of agreement by arbitration.

Electric lines, &c., let on hire, though fixed to premises, to remain the property of undertakers.

16. All electric lines, fittings, apparatus, and appliances let by any undertakers on hire or belonging to any undertakers, but being in or upon premises of which the undertakers are not in possession, shall, whether they be or be not fixed or fastened to any part of any premises in or upon which they may be situate, or to the soil under any such premises, at all times continue to be the property of, and be removable by the undertakers, and sections twenty-four and twenty-five of the Electric Lighting Act, 1882, shall extend and apply to all such electric lines, fittings, apparatus, and appliances: Provided that such electric lines, fittings, apparatus, or appliances have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof, or a distinguishing brand or other mark conspicuously impressed or made thereon, sufficiently indicating the undertakers as the actual owners thereof.

For the purposes of this section, electric lines, fittings, apparatus, and appliances disposed of by the undertakers on terms of payment by instalments shall, until the whole of the instalments have been paid, be deemed to be electric lines, fittings, apparatus, and appliances let on hire by the undertakers.

Nothing in this section shall affect the amount of the assessment for rating of any premises upon which any electric lines, fittings, apparatus, or appliances are or shall be fixed.

Notice to be given to undertakers before removing.

17.—(1) Twenty-four hours' notice in writing shall be given to the undertakers by every consumer before he quits any premises supplied with electrical energy by the undertakers, and, in default of such notice, the consumer so quitting shall be liable to pay to the undertakers the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises, or the date from which any subsequent occupier of such premises may require

the undertakers to supply electrical energy to such premises, whichever shall first occur.

(2) Notice to the effect of this section shall be endorsed upon any demand note for charges for electrical energy.

Power to refuse to supply electrical energy in certain cases.

18. The undertakers may refuse to supply electrical energy to any person whose payments for the supply of electrical energy are for the time being in arrear (not being the subject of a bonâ fide dispute), whether any such payments be due to the undertakers in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises.

Exemption of agreements for the supply of electricity from stamp duty. 54 & 55 Vict. c. 39.

19. Electrical energy shall be deemed to be goods, wares, or merchandise for the purposes of section fifty-nine of the Stamp Act, 1891 (which makes certain contracts chargeable with stamp duty as conveyances on sale), and also for the purposes of the exemption numbered 3 under the heading "Agreement or any memorandum of an agreement" contained in the First Schedule to that Act.

Construction of provisions prohibiting association.

20. For removing doubts, it is hereby declared that so much of any Provisional Order or special Act, or of the schedule to the Electric Lighting (Clauses) Act, 1899, as incorporated with any such Order or Act, as prohibits undertakers from associating themselves with any company or person supplying energy under any licence, Provisional Order, or special Act unless the undertakers are authorised by Parliament to do so, shall not be construed as prohibiting the undertakers from taking a supply of electricity in bulk from any company or person authorised to give such a supply.

Provision as to borrowing by local authorities.

21. Money borrowed under the Electric Lighting Acts shall not be reckoned as part of the total debt of a local authority for the purpose of any limitation on borrowing under the enactments relating to borrowing by the local authority.

For the protection of the Commissioners of Works.

22.—(1) With a view to the protection of the royal palaces, parks, and gardens, museums, and other public buildings, and their contents (in this section referred to as "the protected premises"), the Commissioners of Works and their engineer, or other officer duly authorised in writing under the hand of their secretary, may from time to time enter upon and inspect any generating station of any undertakers, and, if on such inspection it should appear to the Commissioners that proper precautions are not being adopted for the due consumption of smoke, and for preventing as far as reasonably practicable the evolution of oxides of sulphur, and generally for the prevention of nuisance in relation to the protected premises, they may, without prejudice to any other remedy, require the undertakers forthwith to carry out such works and to do such things as are necessary in the circumstances.

(2) The undertakers shall give all reasonable facilities for such inspection to the Commissioners and their engineer or other officer as aforesaid.

(3) Any dispute arising between the Commissioners and the undertakers in relation to any of the provisions of this section shall be determined by arbitration.

This section shall not apply to the station of the Westminster Electric Supply Corporation, Limited, at Horseferry Road, in the city of Westminster.

Prohibiting unauthorised undertakers from competing with statutory undertakers.

23. Where in any area a local authority, company, or person is authorised to supply electricity under Act of Parliament or under licence or Provisional Order granted under the Electric Lighting Acts, it shall not, after the passing of this Act, be lawful for any other local authority, company, or person to commence to supply or distribute electricity within the same area unless such supply or distribution is authorised by Act of Parliament, or by licence or Provisional Order granted in terms of the Electric Lighting Acts: Provided that this section shall not prevent any company or person from affording a supply of electrical energy to any other company or person where the business of the company or person affording the supply is not primarily that of the supply of electrical energy to consumers:

Provided also that this section shall not prevent any company who at the passing of this Act are empowered by their memorandum of association to generate electrical energy from affording a supply to a railway company for purposes incidental to that company's undertaking other than the conveyance of public traffic.

For the protection of gas undertakers.

24. Nothing in this Act shall enable the Board of Trade by Provisional Order to authorise the compulsory acquisition of any land which, at the date of the first publication of the notice for the Order, belongs to any gas or water undertakers and is used or authorised to be used by them for the purposes of their undertaking.

Definitions.

25. In this Act, unless the context otherwise requires,—

The expression "Provisional Order" means a Provisional Order under the Electric Lighting Acts:

The expression "Electric Lighting Acts" means—

(*a*) As respects England and Ireland, the Electric Lighting Acts, 1882 and 1888; and

(*b*) As respects Scotland, the Electric Lighting Acts, 1882 and 1888, the Electric Lighting (Scotland) Act, 1890, and the Electric Lighting (Scotland) Act, 1902:

The expression "authorised" means authorised by Act of Parliament or Provisional Order:

The expression "area of supply" means any area within which any local authority, company, or person is authorised to supply electricity:

The expression "undertakers" means any local authority, company, or person, authorised to supply electricity to whom the Electric Lighting Acts apply:

The expression "road" includes any street as defined by the Electric Lighting Act, 1882:

The expression "generating station" includes any station for generating, transforming, converting, or distributing electricity:

The expression "to supply electricity in bulk" means to supply electricity—

(*a*) to any local authority, company, or person authorised to distribute electricity to be used for the purposes of distribution; or

(*b*) to any local authority authorised by any general or special Act to undertake or contract for the lighting of streets, bridges, or public places, to be used for the purposes of lighting streets, bridges, and public places.

Application of Act to Scotland and Ireland.

26.—(1) In the application of this Act to Scotland, the Secretary for Scotland shall be substituted for the Local Government Board as respects Provisional Orders relating to Scottish local authorities, and the fifteenth day of May shall be substituted for the thirty-first day of March, and the first day of August shall be substituted for the thirtieth day of June. Section ninety-nine of the Burgh Police (Scotland) Act, 1892, as applied by section forty-four of the Local Government (Scotland) Act, 1894, shall be read as if the words "subject" "to the provisions of the Electric Lighting Act, 1882, or "any Act or Acts amending or superseding the same," were repealed.

55 & 56 Vict. c. 55. 57 & 58 Vict. c. 58.

(2) In the application of this Act to Ireland, the Local Government Board for Ireland shall be substituted for the Local Government Board as respects Provisional Orders relating to Irish local authorities.

Short title, construction, and commencement.

27.—(1) This Act may be cited as the Electric Lighting Act, 1909.

(2) This Act and the Electric Lighting Acts shall be construed together as one Act, and may be cited as the Electric Lighting Acts, 1882 to 1909.

(3) This Act shall come into operation on the first day of April nineteen hundred and ten.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

MODIFICATIONS OF THE LANDS CLAUSES ACTS.

The following modifications shall have effect in the construction of the provisions of the Lands Clauses Acts incorporated by this Act for the purposes of the Electric Lighting Acts :—

(*a*) The expression "special Act" means the Electric Lighting Acts, inclusive of any Provisional Order authorising the compulsory acquisition of land, except that the period of three years mentioned in section one hundred and twenty-three of the Lands Clauses Consolidation Act, 1845, shall be calculated from the passing of the Act confirming the Provisional Order ; and — 8 & 9 Vict. c. 18.

(*b*) The expressions "the promoters" and "the undertaking" mean respectively the undertakers and the undertaking under the Electric Lighting Acts, and the expression "company" in the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, and the Railways Act (Ireland), 1864, means the undertakers under the Electric Lighting Acts ; and — 14 & 15 Vict. c. 70. 23 & 24 Vict. c. 97. 27 & 28 Vict. c. 71.

(*c*) The expression "land" includes easements in or relating to land.

SECOND SCHEDULE.

Section 11.

SECTIONS TO BE SUBSTITUTED FOR SECTIONS 49, 50, 51, AND 53 OF THE SCHEDULE TO THE ELECTRIC LIGHTING (CLAUSES) ACT, 1899.

"49. The amount of energy supplied by the Undertakers to any ordinary consumer under the Special Order, or the electrical quantity contained in the supply (according to the method by which the Undertakers elect to charge), hereinafter referred to as 'the value of the supply,' shall, except as otherwise agreed between the consumer and the Undertakers, be ascertained by means of an appropriate meter duly certified under the provisions of the Special Order, and fixed and connected with the service lines in some manner approved by the Board of Trade. — Meters to be used except by agreement.

"50. A meter shall be considered to be duly certified under the provisions of the Special Order if it be certified by an electric inspector appointed under the Special Order to be a meter capable of ascertaining the value of the supply within such limits of error as may, as respects meters of the class to which the meter belongs, be allowed by the Board of Trade, and to be of some construction and pattern approved by the Board of Trade, and every such meter is hereinafter referred to as a 'certified meter' : Provided that, where any alteration is made in any — Meter to be certified.

certified meter, that meter shall cease to be a certified meter unless and until it is again certified as a certified meter under the provisions of the Special Order.

Inspector to certify meter

"51. An electric inspector, on being required to do so by the Undertakers or by any consumer, and on payment of the prescribed fee by the party so requiring him, shall examine any meter used or intended to be used for ascertaining the value of the supply, and shall certify it as a certified meter if he considers it entitled to be so certified, and the inspector shall, on the like requisition and payment, examine the manner in which any such meter has been fixed and connected with the service lines, and shall certify that it has been fixed and connected with the service lines in some manner approved by the Board of Trade, if he considers that it is entitled to be so certified.

Meters not to be connected or disconnected without notice.

"53. The Undertakers shall not, nor shall any consumer, connect any meter used or to be used under the Special Order for ascertaining the value of the supply with any electric line through which energy is supplied by the Undertakers, or disconnect any such meter from any such electric line, unless the one has given to the other not less than forty-eight hours' notice in writing of the intention to do so, and the Undertakers or any consumer acting in contravention of this section shall be liable for each offence to a penalty not exceeding forty shillings."

CHAPTER 35.

An Act to facilitate the proceedings of any Commissioner who may be appointed to hold an inquiry respecting the conduct of the Police of the City of Liverpool in dealing with disturbances of the peace in that city during the twelve months preceding the passing of this Act. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of Commissioner.

1. Any Commissioner appointed by the Secretary of State to inquire into the conduct of the police of the city of Liverpool in dealing with disturbances of the peace in that city during the period of twelve months immediately preceding the passing of this Act, and into the circumstances causing such disturbances, shall have the like powers, rights, and privileges as were conferred by the Metropolitan Police (Commission) Act, 1906, on the Commissioners referred to in that Act, and that Act shall have effect as if it were herein re-enacted and in terms made applicable to this Act.

6 Edw. 7. c. 6.

Short title

2. This Act may be cited as the Police (Liverpool Inquiry) Act, 1909.

CHAPTER 36.

An Act to make provision with respect to the application of the Local Registration of Title (Ireland) Act, 1891, to the County of Cork. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Local registration of title in the county of Cork.

1.—(1) For the purposes of the Local Registration of Title (Ireland) Act, 1891 (in this Act referred to as the principal Act), the county of Cork shall be deemed to be one county.

54 & 55 Vict. c. 66.

(2) The existing Clerk of the Crown and Peace of and for the county of the city of Cork and East Riding of the county of Cork shall, so long as he holds that office, be the local registering authority under the principal Act for the county of Cork, and during that period the local office for that county shall be in the office kept by him pursuant to the provisions of the County Officers and Courts (Ireland) Act, 1877, or in such other place as the Lord Chancellor may from time to time sanction under the principal Act.

40 & 41 Vict. c. 56.

(3) From and after the time when a vacancy next occurs in the office of Clerk of the Crown and Peace of and for the county of the city of Cork and East Riding of the county of Cork, the Clerk of the Crown and Peace for the West Riding of the county of Cork shall, for all the purposes of the principal Act, be deemed to be the Clerk of the Crown and Peace for the county of Cork.

Validation of acts.

2. All acts done prior to the passing of this Act by or under the direction of any Clerk of the Crown and Peace acting or purporting to act as local registering authority under the principal Act for the county of Cork, or any part of that county, are hereby declared to be as valid and effectual as if they had been done by or under the direction of a duly qualified registering authority under the principal Act.

Interpretation.

3. In this Act, unless the context otherwise requires,—

(*a*) the expression "county of Cork," when used otherwise than in relation to a riding of the county, means the county at large, including the county borough of Cork; and

(*b*) the expression "Clerk of the Crown and Peace for the West Riding of the county of Cork" means a person appointed to the united offices of Clerk of the Crown and of Clerk of the Peace of and for the West Riding of that county, under the style and title of Clerk of the Crown and Peace of and for the county of Cork.

Short title, construction, and citation.

4. This Act may be cited as the Local Registration of Title (Ireland) Act, 1909, and shall be construed as one with the principal Act, and the principal Act and this Act may be cited collectively as the Local Registration of Title (Ireland) Acts, 1891 and 1909.

CHAPTER 37.

An Act to enable Orders in Council to be made for the purpose of giving effect to any Convention for facilitating the International Circulation of Motor Cars.

[25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to make Order in Council for carrying out conventions as to international circulation of motor cars.

1.—(1) His Majesty may, by Order in Council for the purpose of giving effect to any convention for facilitating the international circulation of motor cars, provide—

(*a*) for the grant and authentication of any travelling passes, certificates, or authorities which may be of use to persons resident in the United Kingdom when temporarily taking their motor cars abroad, or to drivers when proceeding abroad for the purpose of driving motor cars; and

3 Edw. 7. c. 36.

(*b*) for modifying the provisions of the Motor Car Act, 1903, relating to the registration of motor cars and the licensing of motor-car drivers in the case of motor cars brought temporarily into the United Kingdom by persons resident abroad, and intending to make only a temporary stay in the United Kingdom, and of drivers entering the United Kingdom for the purpose of driving any such cars.

(2) Any modifications of the Motor Car Act, 1903, made by an Order in Council under this section shall have effect as if they were contained in that Act.

(3) Any Order in Council under this Act may be varied or revoked by any subsequent Order in Council under this Act.

Short title.

2. This Act may be cited as the Motor Car (International Circulation) Act, 1909.

CHAPTER 38.

An Act to remove certain limitations on the borrowing by a County Council by way of mortgage under the Local Government Act, 1888. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Removal of limitations on the borrowing by a county council by way of mortgage. 51 & 52 Vict. c. 41.

1. The words "if special reasons exist for so borrowing" in subsection (8) and subsection (9) of section sixty-nine of the Local Government Act, 1888 (which limits the period for which a county council may borrow by way of mortgage to a period not exceeding five years), are hereby repealed, and that subsection shall, as respects any money borrowed by way of mortgage before the passing of this Act, be deemed not to have been in force.

Short title.

2. This Act may be cited as the County Councils Mortgages Act, 1909.

CHAPTER 39.

An Act to amend the Law as to Oaths.

[25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 51 & 52 Vict. c. 46

1. This Act may be cited for all purposes as the Oaths Act, 1909; and the Oaths Act, 1888, and this Act may be cited together as the Oaths Acts, 1888 and 1909.

Manner of administration of oaths.

2.—(1) Any oath may be administered and taken in the form and manner following:—

The person taking the oath shall hold the New Testament, or, in the case of a Jew, the Old Testament, in his uplifted hand, and shall say or repeat after the officer administering the oath the words "I swear by Almighty God that . . . . .", followed by the words of the oath prescribed by law.

(2) The officer shall (unless the person about to take the oath voluntarily objects thereto, or is physically incapable of so taking the oath) administer the oath in the form and manner aforesaid without question:

Provided that, in the case of a person who is neither a Christian nor a Jew, the oath shall be administered in any manner which is now lawful.

Definition.

3. In this Act the word "officer" shall mean and include any and every person duly authorised to administer oaths.

Commencement and extent

4.—(1) This Act shall come into operation on the first day of January nineteen hundred and ten.

(2) This Act shall not apply to Scotland.

CHAPTER 40.

An Act to amend the Metropolitan Police Acts, 1829 to 1899, and to make better provision for the widows and children of constables who lose their lives in the execution of their duty. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Annual contribution towards expenses of metropolitan police.
62 & 63 Vict. c. 26

1. In addition to the sums payable out of moneys provided by Parliament for specified services of the metropolitan police, and as salaries under the Metropolitan Police Act, 1899, there shall be paid in each year out of moneys provided by Parliament in respect of services rendered by the metropolitan police for imperial and national purposes such sum as the Secretary of State, with the approval of the Treasury, may determine.

Provision as to additional rate levied under 53 & 54 Vict. c. 45, s. 19 (4) in metropolitan district
51 & 52 Vict. c. 41

2. The proceeds of any addition to the metropolitan police rate levied under the provisions of subsection four of section nineteen of the Police Act, 1890, shall not be reckoned as part of the sum actually raised by rates for the purposes of paragraph (*k*) of subsection two of section twenty-four of the Local Government Act, 1888, which regulates the amount to be paid by county councils to the receiver for the metropolitan police district and charged to the Exchequer Contribution Accounts.

Additional Assistant Commissioner of metropolitan police
19 & 20 Vict. c. 2

3. It shall be lawful for His Majesty to appoint a fit person to be a fourth Assistant Commissioner of Police of the Metropolis, and the Metropolitan Police Act, 1856, shall apply in like manner as if four Assistant Commissioners of Police of the Metropolis were therein mentioned instead of two.

Regulations by Secretary of State as to superannuation for officers of staff of metropolitan police.
38 & 39 Vict. c. 28.

4.—(1) The power of the Secretary of State under the Metropolitan Police Staff (Superannuation) Act, 1875, to make regulations respecting the grant to the officers to whom that Act applies of superannuation allowances, compensations, gratuities, or other allowances, on the like principles and conditions as were in force at the passing of that Act with respect to persons in the permanent civil service of the State, shall be extended so as to include a power to make such regulations on the like

principles and conditions as are for the time being in force with respect to persons in the permanent civil service of the State, and to vary and revoke any such regulations.

(2) In section one of the said Act, the words "as soon as conveniently may be" shall be repealed.

(3) For removing doubts, it is hereby declared that in sub-section (2) of section five of the Metropolitan Police Courts Act, 1897 (which relates to the superannuation allowances of members of the staff of the metropolitan police courts, except police magistrates), the expression "the Superannuation Act, 1859, and "the enactments amending the same" includes the enactments amending that Act passed after as well as before the passing of the Metropolitan Police Courts Act, 1897. 60 & 61 Vict. c. 26.

5.—(1) At the end of paragraph (6) of Part II. of the First Schedule to the Police Act, 1890 (which relates to the pensions and allowances to widows and children of constables in England), the following proviso shall be added :— Pensions of widows and children of constables killed on duty.

"Provided further that, where a constable loses his life from the effects of an injury which is not accidental, the police authority shall increase the pension to the widow to a sum equal to one-third of the annual pay of the constable, and the allowance to each child to a sum equal to one-fifteenth of such pay, or, if there is no widow, to a sum not less than one-fifteenth nor more than two-fifteenths of such pay, unless the aggregate of such pension and allowances would exceed two-thirds of such pay, in which case they shall be rateably reduced; the police authority may, however, refuse so to increase the pension to the widow on the ground of her misconduct, but any such refusal shall be subject to confirmation by the Secretary of State."

(2) At the end of paragraph 5 of Part II. of the First Schedule to the Police (Scotland) Act, 1890 (which relates to the pensions and allowances to widows and children of constables in Scotland), the following proviso shall be added :— 53 & 54 Vict. c. 67.

"Provided further that, where a constable loses his life from the effects of an injury which is not accidental, the police authority shall increase the pension to the widow to a sum equal to one-third of the annual pay of the constable and the allowance to each child to a sum equal to one-fifteenth of such pay, or, if there is no widow, to a sum not less than one-fifteenth nor more than two-fifteenths of such pay, unless the aggregate of such pension and allowances would exceed two-thirds of such pay, in which case they shall be rateably reduced; the police authority may, however, refuse so to increase the pension to the widow on the ground of her misconduct, but any such refusal shall be subject to the same right of appeal as is conferred by section eleven of the Police (Scotland) Act, 1890, in a case of forfeiture or refusal of a pension or allowance."

6. This Act may be cited as the Police Act, 1909, and, so far as it amends the Metropolitan Police Acts, 1829 to 1899, may be Short title.

cited with those Acts as the Metropolitan Police Acts, 1829 to 1909, and, so far as it amends the Police Act, 1890, may be cited with the Police Acts, 1839 to 1908, as the Police Acts, 1839 to 1909, and so far as it amends the Police (Scotland) Act, 1890, may be cited with the Police (Scotland) Acts, 1857 to 1890, as the Police (Scotland) Acts, 1857 to 1909.

CHAPTER 41.

An Act to enable the punishment of Detention to be substituted for the punishment of Imprisonment for Offences against Naval Discipline under the Naval Discipline Act. [25th November 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Detention to be substituted for imprisonment as punishment for offences against discipline.

1.—(1) For the purpose of preventing persons subject to the Naval Discipline Act convicted of offences against discipline under that Act, and not dismissed from His Majesty's service, from being subjected to the stigma attaching to imprisonment, there shall be added to the punishments specified in section fifty-two of the Naval Discipline Act the punishment of detention, which in the scale of punishments mentioned in that section shall come next before dismissal from His Majesty's service.

(2) The maximum term of detention shall be two years, and a person sentenced to detention shall undergo the term of his detention either in naval detention quarters or in a detention barrack, or partly in one way and partly in another: a person liable to imprisonment in a naval prison may be confined in naval detention quarters, but a person sentenced to detention shall not be confined in a prison.

(3) The Admiralty shall have the same power of setting apart buildings or vessels, or any parts thereof, as naval detention quarters as they have of setting apart such buildings or vessels or parts thereof as naval prisons.

(4) For the purpose of giving effect to the foregoing provisions such amendments shall be made in the Naval Discipline Act as are set forth in the schedule to this Act.

Printing and construction of Naval Discipline Act.

2.—(1) Every enactment and word which is directed by the schedule to this Act to be substituted for or added to any portion of the Naval Discipline Act shall form part of that Act in the place assigned to it by the said schedule, and the Naval Discipline Act, and all Acts which refer thereto, shall

after the commencement of this Act be construed as if that enactment or word had been originally enacted in the Naval Discipline Act in the place so assigned, and, where it is substituted for another enactment or word, had been so enacted in lieu of that enactment or word, and as if the Naval Discipline Act had been enacted with the omission of any enactment or word which is directed by the schedule to this Act to be omitted from that Act, and the expression "this Act" in the Naval Discipline Act shall be construed accordingly.

(2) A copy of the Naval Discipline Act with every such enactment and word inserted in the place so assigned, and with the omission of any portion of that Act directed by the schedule to this Act to be omitted from that Act, shall be prepared and certified by the Clerk of the Parliaments and deposited with the rolls of Parliament, and His Majesty's printers shall print in accordance with the copy so certified all copies of the Naval Discipline Act which are printed after the commencement of this Act.

Short title and commencement.

3.—(1) This Act may be cited as the Naval Discipline Act, 1909.

(2) This Act shall come into force on such day or days not being later than the first day of January nineteen hundred and eleven as the Admiralty may appoint, and the Admiralty may appoint different days for different places and stations, and for different provisions of this Act.

SCHEDULE.

MODIFICATIONS OF NAVAL DISCIPLINE ACT.

Provisions of Naval Discipline Act to be amended.	Nature of Amendment.
Sections twenty-three, fifty-three, paragraph (10); fifty-six, subsection (2); seventy-four, subsections (1) and (3); seventy-eight; seventy-nine, and eighty.	The words "or detention" shall be inserted after the word "imprisonment," wherever that word occurs.
Section twenty-three - -	The words "with or without hard labour" shall be omitted.
Sections forty-seven, forty-eight, and fifty-eight, paragraph (8).	The word "person" shall be substituted for the word "prisoner," wherever that word occurs.

Provisions of Naval Discipline Act to be amended.	Nature of Amendment.
Section fifty-two - - -	After paragraph (4) there shall be inserted the following new paragraph :— "(4A) Detention."
Section fifty-three - - -	In paragraph (1) after the words "but so that" there shall be inserted the following words: "neither the degree nor the duration of," and the word "not" shall be omitted. After paragraph (9) the following new paragraph shall be inserted :— "(9A) The punishment of detention may be inflicted for any term not exceeding two years." At the end of paragraph (10) the following proviso shall be added :— "Provided that where the punishment awarded is detention for a term not exceeding fourteen days, the sentence may direct that the punishment shall not be accompanied by stoppage of pay or wages during the term of detention." In paragraph (11), after the words "no officer shall be subject" there shall be inserted the words "to detention or."
Sections fifty-six, subsection (4); sixty-two; and sixty-three.	The words "person charged," shall be substituted for the word "prisoner," wherever that word occurs.
Section sixty-six - - -	After the word "imprisonment" there shall be inserted the words "or, if the offender is a person liable to be sentenced to detention under this Act, by detention."
Sections seventy and seventy-four, subsection (3).	For the words "his detention" there shall be substituted the words "detaining him."
Section seventy-two - -	For the words "during his detention" there shall be substituted the words "while he is detained."
Section seventy-three - -	For the words "imprisonment or of" there shall be substituted the words "detention, imprisonment, or." The word "detention" shall be inserted before the word "imprisonment," wherever that word occurs in the first paragraph of the section. The words "or detention" shall be inserted after the word "imprisonment," where it first and secondly occurs in the proviso. The words "in the aggregate" shall be inserted after the words "for any period exceeding."

Provisions of Naval Discipline Act to be amended.	Nature of Amendment.
Section seventy-three—*cont.*	For the words "his imprisonment" there shall be substituted the words "the total term of his punishment." The word "any" shall be substituted for the word "either," where that word secondly occurs.
Section seventy-four, subsection (1).	The words "imprisonment or detention" shall be substituted for the words "or of imprisonment." After the words "and may" there shall be inserted the words "in the case of imprisonment." After the words "appointed under this Act" there shall be inserted the words "or naval detention quarters" After the words "military prison" there shall be inserted the words "or "detention barrack and may in the case "of detention be any naval detention "quarters or a military detention bar-"ruck."
Subsection (2) - - -	After the words "proper prison," where those words first occur, there shall be inserted the words "or naval detention quarters" After the word "imprisonment" wherever that word occurs, there shall be inserted the words "or detention, as the case may be." After the words "proper prison," where those words secondly occur, there shall be inserted the words "or naval detention "quarters, or, in the case of an offender "under sentence of detention, to some "place at which there are naval deten-"tion quarters."
Subsection (3) - - -	After the words "naval custody or" there shall be inserted the words "in the "case of a person sentenced to imprison-"ment"
Section seventy-five - -	After the words "this Act" there shall be inserted the words "or of any offender "undergoing or sentenced to undergo "detention." After the words "house of correction," where those words first occur, there shall be inserted the words "or, in the case of "an offender undergoing or sentenced to "undergo detention, to the naval deten-"tion quarters."

Provisions of Naval Discipline Act to be amended.	Nature of Amendment.
Section seventy-five—*cont.*	After the words "such prison," and after the words "house of correction," where those words secondly occur, there shall be inserted the words "or naval detention quarters."
Section seventy-six - -	After the words "naval prison" there shall be inserted the words "or naval detention quarters."
Sections seventy-six, seventy-eight, and seventy-nine.	For the word "prisoner," wherever that word occurs, there shall be substituted the word "offender."
Section seventy-eight - -	For the words "has been imprisoned" there shall be substituted the words "is undergoing imprisonment or detention."
Section seventy-nine - -	For the words "such detention takes place" there shall be substituted the words "he is so detained."
Section eighty - - -	After the word "imprisoned" there shall be inserted the words "or undergoing detention." After the word "confinement" there shall be inserted the words "or, in the case of a person sentenced to detention, such naval detention quarters."
Section eighty-one, subsection (1).	After the words "as naval prisons" there shall be inserted the words "or naval detention quarters." After the word "apart," where it secondly occurs, there shall be inserted the words "as naval prisons or naval detention quarters, as the case may be." After the words "to be naval prisons" there shall be inserted the words "or naval detention quarters respectively."
Subsection (2) - - -	After the words "naval prisons" there shall be inserted the words "and naval detention quarters respectively." After the words "military prisons" there shall be inserted the words "and detention barracks respectively." After the words "for 'military'" there shall be inserted the words "and of 'naval detention quarters' for 'detention barrack.'"
Section eighty-two - - -	After the words "naval prison" there shall be inserted the words "or any such naval detention quarters." After the word "prisoner," wherever that word occurs, there shall be inserted the words "or person undergoing detention."

Provisions of Naval Discipline Act to be amended.	Nature of Amendment.
Section eighty-two—*cont.*	After the words "such prison," "the prison," or "said prison," wherever those words occur, there shall be inserted the words "or naval detention quarters."
Section eighty-three - -	After the word "correction" there shall be inserted the words "or of any naval detention quarters."

CHAPTER 42.

An Act to amend the Law relating to the Occupation and Ownership of Land in Ireland, and for other purposes relating thereto. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Land Purchase Finance.

Alteration of amount of purchase annuity and of rate of interest payable to National Debt Commissioners. 3 Edw. 7. c. 37.

1.—(1) In the case of advances made in pursuance of future purchase agreements, three pounds ten shillings shall be substituted for three pounds five shillings as the rate of the purchase annuity under section forty-five of the Irish Land Act, 1903 (in this Act referred to as the Act of 1903).

(2) So far as respects advances made for future purchase agreements, the rate of interest to be paid by the Land Commission to the National Debt Commissioners under section thirty-six, and by the Congested Districts Board to the Land Commission under section seventy-two, of the Act of 1903, shall be three per cent. per annum, instead of two-and-three-quarters per cent. per annum.

(3) The National Debt Commissioners shall, in the accounts kept by them of the Irish Land Purchase Fund, distinguish between advances made in pursuance of pending purchase agreements and advances made in pursuance of future purchase agreements.

Power to raise new guaranteed three per cent. stock, and provision as to investment by savings bank depositors in stock.

2.—(1) The power of the Treasury to create stock for the purpose of raising money required for the Irish Land Purchase Fund (including the Land Purchase Aid Fund) shall include power to create a new capital stock to be called guaranteed three per cent. stock, and the Treasury may at any time create for that purpose either guaranteed two-and-three-quarters per cent. stock or guaranteed three per cent. stock, as they think fit.

(2) The provisions of the Act of 1903 relating to stock shall apply to guaranteed three per cent. stock created under this section as they apply to the guaranteed two-and-three-quarters per cent. stock created under that Act, with the substitution of three per cent. for two-and-three-quarters per cent. as the rate of dividend, and of thirty years from the passing of this Act for thirty years from the commencement of the Act of 1903 as the period after the expiration of which the stock is redeemable.

56 & 57 Vict. c. 69.

(3) The definition of Government stock in subsection (2) of section five of the Savings Bank Act, 1893, shall be read as if stock issued under the Act of 1903 or this Act were included in the First Schedule to the said Savings Bank Act, 1893.

Power to make advances by guaranteed stock under certain circumstances

3.—(1) Notwithstanding anything in section twenty-seven of the Act of 1903, advances for the purposes of the Land Purchase Acts may, subject to the provisions of this section, be made in whole or in part by means of stock in the manner and under the circumstances for which provision is made by this section.

(2) For the purpose of carrying into effect pending purchase agreements, advances may, if the vendor agrees, be made by means of the issue to the prescribed persons, in the prescribed manner, and subject to the prescribed conditions, of such an amount of guaranteed two-and-three-quarters per cent. stock as, at the market price of the day of issue (as certified in the prescribed manner), is equivalent to the sum to be advanced if that price is not below ninety-two pounds (ex-dividend) for an amount of stock of the nominal value of a hundred pounds, or, if the stock is below that price, by the issue of such an amount of stock as would be equivalent to the sum to be advanced if the stock were at that price.

(3) For the purpose of carrying into effect future purchase agreements, advances may, if the Treasury think fit so to direct, be made by means of the issue of an amount of guaranteed three per cent. stock equal in nominal amount to the sum to be advanced and carrying dividends as from the date of the advance.

(4) Stock issued in pursuance of this section as the equivalent of an advance shall, as between the vendor and the purchaser, be accepted by the vendor as the equivalent of the corresponding amount of purchase money, and a vendor, although he is not an absolute owner, may agree to advances being made by stock under this section for the purpose of carrying out any pending purchase agreements, and any person having power to sell under the Land Purchase Acts, although he is not an absolute owner, may enter into any future purchase agreement, notwithstanding that the purchase money may be payable in stock in pursuance of this section instead of in cash.

Regulations as to priority.

4.—(1) Regulations may be made by the Lord Lieutenant for determining the priority in which advances, whether by means of money or of stock, or partly by means of money and partly by means of stock, may be sanctioned or made, and for allocating as

between different classes of sales the amounts from time to time available for advances.

(2) The regulations shall provide that, in determining the priority as between sales of the same class, regard shall be had, so far as is reasonably practicable, to the dates at which proceedings for the respective sales were commenced, or, in cases where proceedings are transferred from one class to another, to the dates of the respective transfers.

(3) Every regulation made under this section shall be laid before both Houses of Parliament as soon as may be after it is made.

Temporary borrowing by bills or bonds.

5.—(1) Any money which may be raised by the creation of stock under the Act of 1903 or this Act may be temporarily raised by the issue of bills or bonds in such form and for such period not exceeding seven years, and bearing such rate of interest not exceeding three per cent., as the Treasury may determine.

(2) The interest on or in respect of any such bills or bonds shall be charged and paid in the same manner as the dividends on stock under section twenty-nine of the Act of 1903, and the provisions of that Act respecting the income account of the Irish Land Purchase Fund shall apply as if the interest on or in respect of the bills or bonds were dividends on stock.

(3) The principal money of any such bills or bonds shall, subject to the provisions of this Act, be repaid out of the Irish Land Purchase Fund, and, if the Capital Account of that Fund is insufficient, shall be charged on and payable out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

Stock or fresh bills or bonds may be issued for the purpose of raising the principal money required when necessary.

(4) Subsections (6) and (7) of section thirty-six of the Act of 1903 (which relate to the deficiency arising from the issue of stock at a discount and the surplus arising from the issue of stock at a premium) shall apply in the case of the issue of bills or bonds under this section as they apply in the case of the issue of stock.

Amendment of provisions as to percentage.

6.—(1) The percentage payable under section forty-eight of the Act of 1903 shall be calculated at the rates specified in the First Schedule to this Act, and, for the purposes of that section, the percentage at the rates so specified shall be deemed to be the percentage under that section:

Provided that the percentage payable on the purchase money of an estate, which consists of or includes lands in respect of which there are purchase agreements entered into, or deemed in pursuance of this section to have been entered into, on or before the twenty-fourth day of November nineteen hundred and eight, shall (so far as the percentage is payable in respect of the purchase of those lands) be calculated at the rate of twelve per cent. instead of being calculated under this section.

(2) An agreement for the purchase of any estate or land, though not entered into on or before the twenty-fourth day of November nineteen hundred and eight, shall be deemed, for the purposes of this section, to be a purchase agreement entered into on or before that date, where on or before that date—

(*a*) the vendor has lodged an originating request in manner provided by rules made under the Act of 1903 with a view to the purchase of the estate or land by the Land Commission under section six of that Act or by the Congested Districts Board under section seventy-nine of that Act; or

(*b*) the vendor has accepted a preliminary estimate of price made by the Land Commission with a view to the purchase of the estate or land under sections six or eight of the Act of 1903, or entered into a preliminary agreement with the Congested Districts Board with a view to the purchase of the estate or land under section seventy-nine of that Act; or

(*c*) the Land Judge in the course of proceedings in which the estate or land is eventually sold to the Land Commission under section seven, or to the Congested Districts Board under section seventy-seven, of the Act of 1903, has caused the Commission or Board to be furnished with particulars and documents respecting the estate or land in pursuance of either of these sections; or

(*d*) the Estates Commissioners have made an offer for the purchase of the estate or land under subsection (4) of section two of the Evicted Tenants (Ireland) Act, 1907.

7 Edw. 7. c. 56.

(3) So much of section forty-seven of the Act of 1903 as limits the total of the sums payable to the Land Purchase Aid Fund to twelve million pounds shall cease to have effect.

Provision as to making good deficiency in respect of stock issued at a discount.

7.—(1) The charge on the Guarantee Fund for any deficiency in respect of the issue of stock or bills or bonds at a discount shall extend only to the amount of the Ireland Development Grant which forms part of the cash portion of that fund; and the deficiency, so far as is not made good out of that amount, shall be made good out of moneys provided by Parliament.

(2) Any deficiency in respect of interest or sinking fund, arising by reason of money being raised by means of three per cent. stock for the purpose of advances in respect of which interest is payable by the Land Commission to the National Debt Commissioners at the rate of two-and-three-quarters per cent. only, shall be made good in the same manner as a deficiency arising in respect of the issue of stock at a discount is to be made good under subsection (6) of section thirty-six of the Act of 1903, as amended by this section.

Bonus dividend to be treated as expenses of issue of stock.

8.—(1) Where stock is created for the purposes of the Land Purchase Acts, and issued under conditions which provide that the money to be raised thereby shall be paid up by instalments, dividends may be paid on the total nominal amount of the stock from any date fixed at the time of issue, although the instalments, or some or one of them, may not have been payable until after that date; and, if the amount so paid by way of dividend exceeds the sum which would have been payable on the portion of the stock representing the money actually paid up, the difference shall be treated as part of the expenses of the issue of the stock.

(2) This section shall apply to any stock created and issued since the first day of July nineteen hundred and eight, as well as to stock issued after the passing of this Act.

Advance dividend.

9.—(1) Any person to whom an advance is made after the passing of this Act shall pay on the first gale day on which any payment in respect of the advance is due (in addition to the interest, or instalment of purchase annuity, due on that day), interest on the advance in respect of the period between the said gale day and the day on which the next dividends are payable in respect of the stock issued under the Act of 1903 or this Act.

(2) The interest payable shall be at the rate at which the Land Commission pay interest to the National Debt Commissioners in respect of the advance, and shall be recoverable as if it were part of the purchase annuity.

Remission of stamp duty. 6 Edw. 7. c. 37.

10.—(1) The exemption from stamp duty given by section twenty-three of the Labourers (Ireland) Act, 1906, shall extend to any stamp duty payable on any mortgage or other security given by a rural district council in respect of an advance by the Irish Land Commission under section sixteen of that Act, or payable under section eight of the Finance Act, 1899, in respect of such an advance as being loan capital within the meaning of that section. 62 & 63 Vict. c. 9.

(2) The Commissioners of Inland Revenue may remit any such duty which has become payable since the commencement of the Labourers (Ireland) Act, 1906, and return any such duty which has been paid since that date and before the passing of this Act.

(3) The exemption from stamp duty under section fifty of the Act of 1903 shall extend to any instruments the stamp duty on which is payable as expenses of the Land Commission in the same manner as it applies to the instruments mentioned in that section.

Repayment of advances under Labourers (Ireland) Act, 1906. 6 Edw. 7. c. 37.

11.—(1) Advances made under section sixteen of the Labourers (Ireland) Act, 1906 (which are by virtue of that section repayable in like manner as advances under the Land Purchase Acts), shall, whether made before or after the passing of this Act, be repayable in like manner as advances made in pursuance of pending purchase agreements, and, as respects all

such advances, the rate of interest paid by the Land Commission to the National Debt Commissioners shall be two-and-three-quarters per cent. per annum.

(2) The payment charged on the Ireland Development Grant under section seventeen of the Labourers (Ireland) Act, 1906, shall, so far as that grant is insufficient to meet the payment, be defrayed out of moneys provided by Parliament instead of being charged upon that grant: Provided that the total amount of the payment to be charged on the said grant, or to be defrayed out of moneys provided by Parliament, shall not exceed twenty-eight thousand pounds in any year.

Substituted agreements

12.—(1) Where by reason of the death of the purchaser or the transmission of the purchaser's interest in a holding, or in pursuance of a declaration of the Land Commission under section fifteen of the Act of 1903 with respect to a sub-tenancy or a sub-divided holding, or in consequence of any direction of the Land Commission, a fresh purchase agreement is entered into in substitution for an original purchase agreement previously made, any such fresh agreement shall, for the purposes of this Part of this Act, be deemed to be substituted for the original agreement, and, whenever lodged with the Land Commission, to have been lodged with the Land Commission at the date on which the original agreement was so lodged.

(2) Where a vendor at the request of the Land Commission enters into an agreement with the Land Commission or the Congested Districts Board for the sale to them of an estate consisting of or including lands which he has proposed to sell to persons other than that Commission or Board, and in respect of which purchase agreements have been lodged with the Land Commission on or before the twenty-fourtl day of November nineteen hundred and eight, the percentage payable on the purchase money of the estate, or on that portion thereof which represents the purchase money of those lands (in the case of an estate comprising other lands) shall, so far as the purchase money or the portion of the purchase money is not in excess of the aggregate of the purchase money fixed by the original agreements, be calculated in the like manner, and the purchase annuities payable on the re-sale of those lands shall be payable at the like rate, as if the agreement for the sale of the estate had been entered into on or before the twenty-fourth day of November nineteen hundred and eight.

Interpretation

13. In this Part of this Act, unless the context otherwise requires,—

(*a*) The expression "pending purchase agreements" means agreements lodged with the Land Commission on or before the fifteenth day of September nineteen hundred and nine, or entered into on or before that date by or with the Land Commission or the Land Judge or the Congested Districts Board;

(*b*) The expression "future purchase agreements" means agreements lodged with the Land Commission or entered into by or with the Land Commission or the Land Judge or the Congested Districts Board after that date:

Provided that purchase agreements entered into at any time on the re-sale by the Land Commission or Congested Districts Board—

(i) of land purchased or agreed to be purchased by them on or before the fifteenth day of September nineteen hundred and nine; or

(ii) of land being land in respect of which, or comprised in an estate in respect of which, a purchase agreement, though not actually entered into on or before the twenty-fourth day of November nineteen hundred and eight, is deemed for the purposes of the provisions of this Part of this Act relating to the percentage payable under the Act of 1903, to have been entered into on or before that date;

shall be treated for the purposes of this Part of this Act as pending purchase agreements and not as future purchase agreements;

(*c*) An order of the Land Judge under section seven or section seventy-seven of the Act of 1903 vesting any land in the Land Commission or the Congested Districts Board, and an order of the Estates Commissioners vesting land in the Land Commission under section two of the Evicted Tenants (Ireland) Act, 1907, shall for the purposes of this Part of this Act be treated as an agreement entered into by that Commission or Board as the case may be; 7 Edw. 7. c. 56.

(*d*) The expression "prescribed" means prescribed by the Treasury.

14. The power of making rules conferred on the Treasury by the Land Purchase Acts shall extend to the making of rules for carrying the provisions of this Part of this Act into effect, and for adapting to the requirements of this Act such provisions of the Land Purchase Acts or any other enactment passed prior to this Act as relate to land purchase finance. Power to make rules.

Part II.

Land Purchase.

15.—(1) No advance exceeding the sum of three thousand pounds shall be sanctioned under the Land Purchase Acts to any tenant, in pursuance of an agreement for the purchase of a holding entered into after the passing of this Act, unless (*a*) the Limitation on amount of advances to tenant purchasers.

tenant resides on the holding, or such holding is ordinarily used with the holding on which the tenant resides; and (*b*) the Land Commission consider that an advance of a larger amount not exceeding five thousand pounds may properly be sanctioned.

(2) A person shall be deemed to reside on a holding within the meaning of this section if he occupies a house in the immediate neighbourhood for the purpose of working or managing the holding.

51 & 52 Vict. c. 49.

(3) Section two of the Purchase of Land (Ireland) Amendment Act, 1888, and subsection (4) of section one of the Act of 1903, shall cease to have effect save as regards advances in pursuance of purchase agreements entered into before the passing of this Act.

Prohibition of advance.

16.—(1) No advance shall be made under the Land Purchase Acts in respect of the purchase of a holding if the tenancy was created after the fifteenth day of September in the year nineteen hundred and nine.

(2) This section shall not apply to tenancies created by the Land Commission or by the Congested Districts Board.

Advances for purchase of parcels of land

17.—(1) In the case of the sale of an estate to the Land Commission, advances under the Land Purchase Acts may be made for the purchase of parcels thereof by the following persons:—

(*a*) A person being the tenant or proprietor of a holding not exceeding ten pounds in rateable value;

(*b*) A person who has surrendered his holding for the purpose of relieving congestion;

(*c*) A person who, within twenty-five years before the passing of the Act of 1903, was the tenant of a holding to which the Land Law Acts apply, and who is not at the date of the purchase the tenant or proprietor of that holding, or, in case such person is dead, a person nominated by the Land Commission as his personal representative; and

(*d*) Any person to whom in the opinion of the Land Commission, after adequate provision has been made to satisfy the requirements of the persons mentioned in the preceding paragraphs of this subsection, an advance ought to be made:

(2) Advances under this section shall not, together with the amount (if any) of any advance under the Land Purchase Acts, which has been made and is then unrepaid by the purchaser, or for which an application by the purchaser is pending, exceed one thousand pounds: Provided that the limitation in this subsection may, subject to the other limitations in the Land Purchase Acts, be exceeded, where the Land Commission consider that a larger advance may be sanctioned to any purchaser without prejudice to the wants and circumstances of other persons residing in the neighbourhood.

(3) The Land Purchase Acts shall, subject to the provisions of this section, apply to the sale of a parcel of land in pursuance of this section in like manner as if the same was a holding and the purchaser was the tenant thereof at the time of his making the purchase; and the expression "holding" in those Acts shall include a parcel of land in respect of the purchase of which an advance has been made in pursuance of this section.

(4) Section two of the Act of 1903 shall cease to have effect save as regards the sale of any parcels of land in respect of which purchase agreements have been entered into before the passing of this Act, and, save as aforesaid, any reference in any enactment to that section shall be construed as a reference to this section.

Trustees for the purposes of turbary, pasture, &c

18.—(1) It shall be lawful for the Department of Agriculture and Technical Instruction for Ireland, or the council of any county or of any rural district, to purchase any parcel of an estate under section four of the Act of 1903 for any of the purposes mentioned in that section, and the said Department or any such council, or any other body corporate having power to acquire land, may act as trustees for those purposes, and may obtain advances for the purchase.

(2) Where any land is purchased by the said Department or a county council or rural district council under this section, the scheme for the user of the land mentioned in section twenty of the Act of 1903 shall be framed or approved of by the Department, and the requirements of that section with regard to the framing or approval of the scheme by the Lord Lieutenant shall not apply.

(3) Where land is purchased by a county council or rural district council under this section, the amounts required for payment of the instalments of the purchase annuity shall be raised in the case of the county council as a county at large charge, and in the case of the rural district council as a district charge.

(4) It is hereby declared that the provisions of section four and of section twenty of the Act of 1903, as amended by this section, apply as well in the case of the sale of an estate to the Congested Districts Board as in the case of the sale of an estate to persons other than the Congested Districts Board.

Facilities for the planting and preservation of woods.

19.—(1) Where a parcel of an estate is purchased or proposed to be purchased by trustees under section four of the Act of 1903 for the purpose of the planting of trees or the preservation of woods or plantations, and the parcel is subject to any grazing or other rights or easements appurtenant to holdings on the estate, the Land Commission may, if they think fit, on the application of the trustees, make an order releasing that parcel from all or any of those rights and easements upon such terms as to compensation and otherwise as may be agreed upon by the parties interested or, in default of agreement, may be determined by the Land Commission; and any such order shall be effectual

to release the parcel from those rights and easements in the manner and to the extent therein specified.

(2) Where any land is resold to the owner of an estate in pursuance of section three or section seventy-six of the Act of 1903, and the land is subject to any such rights or easements as aforesaid, the Land Commission may on the application of the owner exercise the powers conferred on them by the last preceding subsection as regards those rights and easements, if and so far as they are satisfied that the land, or portion thereof, is required by the owner for any of the said purposes.

(3) The Land Commission, on the application in the prescribed manner of any landlord who is desirous of selling an estate under the Land Purchase Acts, if they are satisfied that it is desirable that the landlord should be authorised to resume a portion of a holding upon the estate for the purpose of planting trees or preserving woods or plantations or growing timber, and that the value of the holding will not be materially diminished by reason of the resumption, may authorise the landlord to resume that portion upon such terms as may be approved of by the Land Commission, including full compensation to the tenant, and may make an order accordingly apportioning the rent and discharging that portion of the holding from the tenancy.

Congested estates

20.—(1) In subsection (5) of section six of the Act of 1903 (which defines a congested estate) "seven pounds" shall be substituted for "five pounds"; and the consent of the owner required by subsection (4) of that section shall cease to be required.

(2) Where an estate not being a congested estate within the meaning of the said section as so amended comprises within its area one or more congested townlands, the Land Commission, or, in the case of townlands situated in a congested district county, the Congested Districts Board, may declare all or any one or more of such townlands to be a separate estate for the purposes of the Land Purchase Acts, and such townland or townlands shall thereupon be deemed for those purposes to be a separate congested estate.

(3) An estate which consists exclusively of one or more congested townlands shall be deemed to be a congested estate.

(4) The expression "congested townland" means a townland in which more than one half of the holdings are—

(*a*) congested holdings; or

(*b*) holdings whose aggregate rateable value when divided by their number gives a sum of less than seven pounds for each holding:

The expression "congested holding" means—

(*a*) a holding not exceeding seven pounds in rateable value; or

(*b*) a holding held in rundale or intermixed plots.

Powers for facilitating re-sales. 1 Edw. 7. c. 34.

21. The powers for facilitating re-sales conferred on the Congested Districts Board by section one of the Congested Districts Board (Ireland) Act, 1901, and on the Land Commission by section twelve of the Act of 1903, may be exercised whether the request mentioned in the said section one or in section eighty-two of the Act of 1903 is or is not made.

Power of Land Commission to determine disputes between tenants of holdings.

22. The powers of the Land Commission under section twenty-two of the Act of 1903 to determine disputes between proprietors of holdings may be exercised on the application, in the prescribed manner, of any tenants on an estate in respect of which purchase agreements have been entered into or negotiations for sale are pending, and the provisions of that section shall apply accordingly in like manner as if the tenants were proprietors of holdings.

Power to exchange tenancies.

23.—(1) When an estate is purchased or agreed to be purchased by the Land Commission or the Congested Districts Board, any person having power under the Land Purchase Acts to enter into an agreement for the purchase of a holding on the estate shall have power in the prescribed manner to enter into an agreement with the Land Commission or the Congested Districts Board, as the case may be, for the exchange of the holding for any other holding which is in the opinion of the Commission or the Board of not less value than the original holding, and to surrender the original holding to the Commission or the Board accordingly.

(2) Upon the surrender of a holding by any person under this section, all charges, liabilities, and equities affecting the tenant's interest in the holding shall, without any conveyance or order, be transferred to the interest acquired by that person in the new holding.

(3) The lands comprised in the original holding shall, notwithstanding the surrender of the holding, continue to be subject to all easements and profits a prendre to which they were subject at the time of the surrender.

(4) For the purpose of any application or order under subsection (6) of section one of the Congested Districts Board (Ireland) Act, 1901, with respect to charges, liabilities, and equities affecting the tenant's interest in a holding, it shall not be necessary to specify the several charges, liabilities, and equities, or any of them. 1 Edw. 7. c. 34.

(5) When a holding to which any charges, liabilities, or equities have been transferred, whether under this section or under section one of the Congested Districts Board (Ireland) Act, 1901, is sold under the Land Purchase Acts, the particulars to be transmitted to the registering authority pursuant to section thirty-two of the Act of 1896 shall include particulars of the original holding from which the charges, liabilities, or equities have been transferred, and, where the registering authority in any such case dispenses with the ascertainment of burdens, the note which he is required to make under subsection three of 1 Edw. 7. c. 34.

54 & 55 Vict. c. 66.

section twenty-nine of the Local Registration of Title (Ireland) Act, 1891, shall contain such modifications or additions as may be necessary for the purpose of protecting any transferred charges, liabilities, or equities.

Amendment of 59 & 60 Vict. c. 47, s. 35.

24. Where the tenant of any holding charged with the repayment of any moneys expended or to be expended by the Land Commission or the Congested Districts Board in erecting or improving buildings on the holding enters into an agreement with the Commission or the Board for the purchase of the holding under the Land Purchase Acts, he shall not by reason of anything contained in section thirty-five of the Act of 1896 be discharged from liability in respect of that charge.

Certain powers and duties of Land Commission to be exercised by Estates Commissioners.

25. The jurisdiction, powers, and duties of the Land Commission under the foregoing provisions of this Part of this Act shall be exercised and performed exclusively by the Estates Commissioners.

Investment of purchase money on sales to Land Commission.

26. Where an estate is vested in the Land Commission by a vesting order made by them, the purchase money may be paid into the Bank of Ireland and invested in like manner as if the estate had been sold to persons other than the Land Commission, and the provisions of subsection three of section twenty-four of the Act of 1903 shall apply in the case of every sale to the Land Commission where the purchase money has been invested under this section.

Restriction on amount expended by Land Commission on purchase of congested estates.

27. Without prejudice to any restriction under subsection (2) of section nine of the Act of 1903, the Land Commission shall not in any one year enter into agreements for the purchase of congested estates which will involve, according to their estimates, a total loss on the re-sale of the estates of a greater sum than that which may be fixed by the Treasury for that year.

Provision of money for expenditure on improvements by Land Commission, and closing of reserve fund.

28.—(1) When the reserve fund established under paragraph (*b*) of subsection (2) of section five of the Act of 1891 is exhausted, any money required by the Land Commission for the exercise of their powers under subsection (1) of section twelve of the Act of 1903 shall, up to an amount approved by the Treasury in each year, be paid out of moneys provided by Parliament.

(2) The said reserve fund shall, when it is exhausted, cease to exist as a separate fund, and any sums, which under any Act or otherwise are to be paid into that reserve fund, shall be paid into the Exchequer.

Provision as to money spent by Land Commission on improvements of estates purchased by them.

29.—(1) Regulations made by the Treasury may provide that where the Land Commission have expended money on the improvement of an estate purchased by them, and on the re-sale of the estate the sums realised by them exceed the sum originally advanced from the Irish Land Purchase Fund for the

purchase of the estate, the National Debt Commissioners may advance to the Land Commission a sum equal to the excess, or, if that sum exceeds the amount expended by the Land Commission on the improvements, a sum equal to the amount so expended, for repayment to the reserve fund if that fund has not been exhausted, and, if that fund has been exhausted, for repayment to the Exchequer.

(2) Where the amount realised by the Land Commission on the re-sale of a congested estate, or of an estate not being a congested estate on the improvement of which the Land Commission have expended money, is less than the sum originally advanced from the Irish Land Purchase Fund for the purchase of the estate, the deficiency in the case of a congested estate, and, in the case of an estate not being a congested estate, so much of the deficiency as does not exceed the amount so expended on improvements, shall be charged or remain charged, as the case requires, upon the reserve fund, if that fund has not been exhausted, and, if that fund has been exhausted, or so far as that fund is not sufficient for the purpose, shall be paid out of moneys provided by Parliament, and credited in manner directed by the Treasury to the Irish Land Purchase Fund.

(3) Subsection (3) of section forty-three of the Act of 1903 shall cease to have effect.

Expenses of improvements by Land Commission on land sold by landlord to tenant.

30.—(1) Where the Land Commission deem it expedient to expend any money on the improvement of a holding sold or agreed to be sold by a landlord to a tenant, they may, in accordance with regulations to be made by the Treasury, enter into an agreement with the tenant for the repayment of the money so expended in the same manner as if such money was advanced under the Land Purchase Acts for the purchase of the holding, and the said money shall be repaid by an additional annuity accordingly.

(2) So far as circumstances admit the additional annuity shall, in accordance with regulations to be made by the Treasury, be consolidated and made payable with the purchase annuity.

(3) Regulations made by the Treasury may provide that, where the repayment of any money expended by the Land Commission is secured by an additional annuity under this section, the National Debt Commissioners may advance to the Land Commission the said money for repayment to the reserve fund if that fund has not been exhausted, and, if that fund has been exhausted, for repayment to the Exchequer.

Amendment of 3 Edw. 7. c. 37 s. 48 (4).

31. For the purposes of subsection (4) of section forty-eight of the Act of 1903, an estate shall be deemed to be so circumstanced that it would, independently of the Act of 1896, be sold without the consent of the owner as to price if the consent of the person who is owner would not be required in his

capacity as owner, notwithstanding that his consent might be required in the capacity of incumbrancer or some other capacity.

Amendment of 3 Edw. 7. c. 37. s. 54.

32.—(1) As between the Land Commission and the proprietor for the time being of any holding for the purchase of which the Land Commission have, after the passing of this Act, made any advance under the Land Purchase Acts, the following conditions shall be imposed in addition to the conditions mentioned in section fifty-four of the Act of 1903, namely:—

(*a*) The proprietor shall not without the consent of the Land Commission acquire by purchase any other holding for the purchase of which an advance has been made under the Land Purchase Acts if the amount of that advance then outstanding, when added to the amount of the advance or advances made in respect of the holding or holdings then held by the proprietor, would exceed the sum of seven thousand pounds, and, if any proprietor acquires any holding in violation of this condition, the Land Commission may cause that holding to be sold:

(*b*) The proprietor shall not, without the consent in writing in the prescribed form of the Department of Agriculture and Technical Instruction for Ireland, cut down or uproot, or permit to be cut down or uprooted, any tree (other than a fruit tree or osier) upon the holding which is necessary for the ornament or shelter of the holding; and, if any such tree is cut down or uprooted in violation of this condition, the proprietor shall be guilty of an offence under this Act, and shall be liable on summary conviction to a penalty not exceeding five pounds for each tree so cut down or uprooted, unless he satisfies the Court that he received the prescribed consent.

(2) Where, after the passing of this Act, a tenant enters into an agreement for the purchase of his holding under the said Acts, the foregoing condition with respect to the cutting and uprooting of trees shall, as from the date of the agreement, apply to the holding in like manner as if the advance had been made, unless and until the application for an advance is refused or withdrawn.

(3) Subsection (2) and subsection (3) of section thirty of the Act of 1881, as amended by any enactment, shall apply to any sale by the Land Commission under this section.

(4) When the whole of the advance made for the purchase of a holding under the Land Purchase Acts has been repaid, the conditions imposed by this section, or by section fifty-four of the Act of 1903, shall cease to have effect as regards the holding or the proprietor thereof.

Application of 3 Edw. 7. c. 37. s. 67 (3).

33. Subsection (3) of section sixty-seven of the Act of 1903 shall not apply to any land or holding subject to a purchase annuity unless the Land Commission deem it expedient, having

regard to the situation, size, and character of such land or holding, to apply the provisions of the said subsection thereto.

Recovery of interest.

34. The Land Commission, where interest on the purchase money of any holding is payable to them, shall have for the recovery of such interest the same remedies as they have for the recovery of unpaid instalments of a purchase annuity.

Extension of 3 Edw. 7, c. 37 s. 69 (2).

35. The provisions of subsection (2) of section sixty-nine of the Act of 1903 (relative to the appointment by the Land Commission of an administrator of a deceased applicant for an advance) shall apply in any case where the applicant dies before the advance is made.

Payments out of interest on purchase money before vesting.

36. Where interest on the purchase money of any land agreed to be sold under the Land Purchase Acts is payable—

(*a*) to the Land Commission under section thirty-five of the Act of 1896; or

(*b*) by the Land Commission or Congested Districts Board under section eighteen of the Act of 1903 as extended by this Act,

the owner of any superior or intervening interest or any incumbrancer may, at any time before the land is vested in the purchaser or purchasers, apply to the Land Commission for an order that payment in respect of the annual income of his claim be made to him out of the interest on the purchase money, and in such case the Commission, if they are satisfied that the justice of the case so requires, may make the order accordingly.

Amendment of 7 Edw. 7, c. 38.

37.—(1) The powers conferred on the Land Commission by section one of the Irish Land Act, 1907, for the purpose of the disposal of the mining rights mentioned in that section shall include a power to demise such rights to any person by way of take note or prospecting lease for any term not exceeding two years, at such rent and upon such conditions as the Land Commission think proper, with an option to the lessee to take a reversionary lease upon the like or such other terms as may be agreed on.

(2) On any demise under the said Act of 1907 as amended by this section, a royalty rent variable according to the price or value of the minerals gotten, or a fixed rent, or both, may be reserved to the Land Commission.

(3) It shall not be obligatory upon the Land Commission to publish the advertisement mentioned in subsection (5) of section one of the said Act on granting any such reversionary lease, if an advertisement has been published pursuant to that subsection before the execution of the take note or prospecting lease.

Powers of investment.

38.—(1) Where any land purchased by means of an advance under the Land Purchase Acts is settled land within the meaning of the Settled Land Acts, 1882 to 1890, the trustees of the settlement may, on the request of the tenant for life,

notwithstanding anything in the settlement to the contrary, invest the purchase money, or any part thereof, in the following manner (that is to say):—

(*a*) With the sanction of the Public Trustee—

(i) in any of the public stocks or funds or Government securities of any foreign government or state; or

(ii) in mortgages, bonds, debentures, or debenture stock charged upon the undertaking of any railway company in the United States of America, Mexico, the Argentine Republic, or Canada, which has, during each of the five years last past before the date of investment, paid a dividend on its preference stock (if any) or its ordinary stock;

(*b*) and without such sanction—

(i) in the mortgages, bonds, debentures, or debenture stock of any railway company in the United Kingdom incorporated by special Act of Parliament which has, during each of the five years last past before the date of investment, paid a dividend on its preference stock (if any) or its ordinary stock, or in the preference stock of any such railway company which has, during a like period, paid a dividend on its ordinary stock;

(ii) in the stocks or shares of any tramway or light railway, dividends upon which are guaranteed under the Tramways (Ireland) Acts, 1860 to 1900; or

(iii) in the stock, mortgages, bonds, debentures, or debenture stock issued or to be issued by the council of any county or urban district in the United Kingdom under the authority of any Act or Provisional Order;

and may from time to time, subject to the like conditions, vary any such investment.

(2) The Public Trustee, in any case in which his sanction is required for an investment under this section, shall, before sanctioning the investment, satisfy himself that there is a reasonable probability that the investment will, if realised on the death of the tenant for life or the termination of the trust, produce an amount not less than the sum invested; and the Public Trustee shall not incur any liability on account of any sanction given or withheld by him in good faith.

(3) The powers of investment conferred upon trustees by this section shall be in addition to any powers of investment conferred on them by the terms of the settlement or by Act of Parliament, and such last-mentioned powers may be exercised notwithstanding anything to the contrary in the settlement.

(4) A trustee shall not incur any liability by reason of any investment made by him in exercise of the powers conferred by this section.

(5) Subsections (1), (2), and (3) of section fifty-one of the Act of 1903 shall cease to have effect.

Examiners of title.

39. A barrister-at-law or solicitor shall not be deemed to have retired from practice by reason of his having been temporarily appointed and having acted as an examiner of the Land Commission under the provisions of the Land Purchase Acts.

Provision as to immediate landlords not having power to sell.

40. Where the immediate landlord of any holding or holdings has not an interest sufficient to constitute him a person having power to sell to tenants under the Land Purchase Acts, the next superior landlord having such an interest shall be deemed to be a person having power to sell to occupying tenants under the said Acts, notwithstanding that the said holding or holdings constitute the whole estate of such superior landlord, and section fifteen of the Act of 1903 shall apply accordingly.

Presumption of release of unpaid rent in certain cases.

41.—(1) Where any land sold under the Land Purchase Acts is subject to any rent reserved under a lease, and no payment on foot of such rent has been made for a period of forty years prior to such sale, such rent shall, for the purposes of such sale and the distribution of the purchase money, be deemed to have been released.

(2) Where portions of any such rent have become vested in different owners, this section shall apply to any portion of such rent as if it was a separate rent.

Proposals for purchase by Estates Commissioners.

42.—(1) The Estates Commissioners may make proposals and enter into negotiations for the purchase, under section six of the Act of 1903, of any estate not situated in a congested districts county, notwithstanding that an application has not been made to them by the owner under that section.

(2) For the purpose of enabling the Estates Commissioners to ascertain the boundaries, extent, and character of any congested estate or untenanted land which they propose to purchase and to estimate the price to be offered for the same, any inspectors or other persons appointed by the Commissioners may, after notice sent by post to the person who appears to the Commissioners to be the owner thereof, enter upon the estate or untenanted land and make all such inquiries and do all such things as may be necessary for the purpose aforesaid.

Procedure of the Estates Commissioners on failure of negotiations for purchase.

43.—(1) Where negotiations have been entered into or proposals have been made for the purchase under the Land Purchase Acts of any congested estate or untenanted land not situated in a congested districts county and no agreement has been arrived at, the Estates Commissioners may, if in their opinion it is desirable that the estate or untenanted land should be purchased for the purpose of relieving congestion, send in

the prescribed manner to the person who appears to them to be the owner a final offer in writing for the purchase of the estate or untenanted land.

(2) The final offer shall contain the following particulars:—

(*a*) A description of the estate or untenanted land to which the offer relates;

(*b*) The amount of the price which the Estates Commissioners are willing to give for the estate or untenanted land, subject—

(i) to any public rights affecting the estate or untenanted land;

(ii) to any maintenance charges under the Public Works Acts; and

(iii) in the case of an estate, to any interests of the tenants or of persons having any claims upon those interests, and to any easements, rights, and appurtenances mentioned in section thirty-four of the Act of 1896:

but save as aforesaid, and subject to the provisions of the Act of 1903 with respect to minerals discharged from the claims of all persons who are interested in the estate or untenanted land, whether in respect of superior or intervening interests or incumbrances or otherwise; and

(*c*) The time within which the offer may be accepted.

(3) If within the time specified in that behalf in the final offer, the offer is accepted in writing by any person who within the prescribed period satisfies the Estates Commissioners that he may be dealt with as the owner of the estate or untenanted land under section seventeen of the Act of 1903, the offer and acceptance shall, as from the date upon which the Estates Commissioners certify that they are so satisfied, have the same effect as an agreement for the purchase of the estate or untenanted land under the said Act as amended by this Act, and the like consequences shall ensue, and the like proceedings shall be carried on, as in the case of such an agreement, save that the advance for the purpose of the purchase shall, notwithstanding anything to the contrary in this Act, be made by means of money and not by means of stock, except in cases where the vendor agrees to accept in lieu of cash an amount of guaranteed three per cent. stock equal in nominal amount to the sum to be advanced, and carrying dividends as from the date of the advance, and the Estates Commissioners agree that the advance shall be made in that manner.

(4) If the said offer is not accepted as aforesaid, the Estates Commissioners may, if they think fit, proceed to acquire the estate or untenanted land compulsorily in manner provided by Part IV. of this Act.

(5) In estimating the price to be named in the final offer, the Estates Commissioners shall have regard to the provisions of

the Act of 1903, as amended by this Act, in respect of advances, and to the prices which the tenants and other persons are willing to give for the holdings (if any) and parcels of land comprised in the estate or untenanted land.

Part III.

Congested Districts.

Incorporation of the Congested Districts Board.

44.—(1) From and after the appointed day the Congested Districts Board for Ireland shall be a body corporate, bearing the name of the "Congested Districts Board for Ireland," with a capacity to acquire and hold land and to sue and be sued by its corporate name.

(2) The Board shall have an official seal, which shall be officially and judicially noticed, and such seal shall be authenticated by the signature of a permanent member of the Board or of the secretary.

(3) In the execution or performance of any power or duty conferred upon or transferred to the Board, by or in pursuance of any enactment, the Board shall adopt and use the style and seal of the Congested Districts Board for Ireland.

(4) The powers and duties of the trustees of the Congested Districts Board for Ireland under any enactment shall on the appointed day be transferred to the Board.

(5) Subsection (3) of section thirty-four of the Act of 1891 and subsections (2) and (3) of section two of the Congested Districts Board (Ireland) Act, 1893, shall cease to have effect as from the appointed day.

56 & 57 Vict. c. 35.

Reconstitution of the Board.

45.—(1) From and after the appointed day, the Congested Districts Board shall consist of the following members :—

(*a*) The Chief Secretary, the Under Secretary to the Lord Lieutenant, and the Vice-President of the Department of Agriculture and Technical Instruction for Ireland, who shall be ex-officio members :

(*b*) Nine members appointed by His Majesty (in this Act referred to as appointed members) :

(*c*) Two paid members appointed by His Majesty (in this Act referred to as permanent members).

(2) An appointed member shall hold office for five years, and shall be eligible for re-appointment. On a casual vacancy occurring by reason of the death, resignation, or incapacity of an appointed member or otherwise, the person appointed by His Majesty to fill the vacancy shall continue in office until the member in whose place he was appointed would have retired, and shall then retire.

(3) Each of the permanent members shall hold office during pleasure, and shall be paid by the Board out of the funds at their disposal an annual salary of two thousand pounds :

Provided that a permanent member shall not be removed from his office except by an Order in Council, and any such

Order shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat after any such Order is laid before it praying that the Order may be annulled, His Majesty in Council may annul the Order, and it shall thenceforth be void.

(4) Every existing member of the Congested Districts Board who is not an ex-officio member, or is not appointed under or in pursuance of this section, shall cease to hold office on the appointed day.

Congested districts counties and local authorities.

46.—(1) For the purposes of the Congested Districts Board (Ireland) Acts, as amended by this Act, each of the following administrative counties, that is to say, the counties of Donegal, Sligo, Leitrim, Roscommon, Mayo, Galway, and Kerry, shall be a congested districts county, the six rural districts of Ballyvaghan, Ennistymon, Kilrush, Scariff, Tulla, and Killadysert in the county of Clare, shall together form one congested districts county, and the four rural districts of Bantry, Castletown, Schull, and Skibbereen, in the county of Cork, shall together form one congested districts county.

(2) No electoral division shall, after the passing of this Act, be or form part of a congested districts county, unless it is included in a congested districts county constituted under this section.

Transfer of certain powers and duties of the Board to the Department of Agriculture.

47. The powers and duties of the Congested Districts Board under any enactment, so far as they relate to any of the following matters; namely:—

(*a*) The provision of seed potatoes or seed oats;

(*b*) Agricultural instruction or practical husbandry; or

(*c*) The aiding and developing of forestry or the breeding of live stock or poultry;

shall on the appointed day be transferred to the Department of Agriculture and Technical Instruction for Ireland (in this Part of this Act referred to as the Department) and shall from that day cease to be exercised or performed by the Board.

Consultative Committee for purposes of fisheries.

48. For the purpose of advising the Department and the Congested Districts Board with a view to the co-ordination of the administration of the business of the Department and the Board respectively in relation to the aiding and developing of sea fisheries in areas in which they have concurrent powers or duties, there shall be a consultative committee consisting of six members, of whom three shall be nominated by the Department, and three shall be nominated by the Board.

Provision of money for Board and Department of Agriculture.

49. As from the appointed day, an annual sum of one hundred and sixty-three thousand seven hundred and fifty pounds shall be paid out of moneys provided by Parliament, as follows:—

Out of that sum an annual sum of nineteen thousand pounds shall be paid to the Department for the purpose of the

exercise of the powers and the performance of the duties transferred to the Department under this Act, and the residue shall be paid to the Congested Districts Board :

Provided that at any time after the expiration of five years from the appointed day the Lord Lieutenant may, on the application of the Department or the Board, from time to time direct that the amount payable to the Department for the purpose aforesaid shall be increased or reduced, and the increased or reduced amount shall as from the date fixed by the Lord Lieutenant be the amount payable to the Department under this section.

Provisions consequential on transfer of powers and duties.

50.—(1) Where any powers and duties are transferred by this Part of this Act from one authority to another authority—

(i) all property, whether real or personal (including easements and rights and things in action), held by or in trust for or vested in the first authority for the purpose or by virtue of those powers and duties, shall without any conveyance or assurance pass to and vest in the other authority, subject to all debts and liabilities affecting the same ; and

(ii) the latter authority shall hold the property for the estate, interest, and purposes, and subject to the covenants, conditions, and restrictions, for and subject to which the property would have been held if this Act had not passed, so far as the same are not modified by or in pursuance of this Act ; and

(iii) all debts and liabilities of the first authority incurred by virtue of those powers and duties shall become debts and liabilities of the latter authority ; and

(iv) in any proceedings relating to those powers and duties, and pending at the time of the transfer to which the first authority is a party, the latter authority shall be substituted for the first authority, and the proceedings shall not abate by reason of the substitution ; and

(v) any reference to the first authority in any enactment, order, instrument, contract, or other document, in relation to those powers or duties, shall, so far as is necessary for the exercise of those powers or the discharge of those duties, be construed as a reference to the latter authority.

(2) The expression "authority" in this section means the Congested Districts Board, the Department, and the trustees of the Congested Districts Board.

Orders in Council.

51.—(1) The Lord Lieutenant, by Order in Council, may do all or any of the following things (that is to say) :—

(i) Regulate the proceedings and meetings (including quorum) of the Congested Districts Board ;

(ii) Regulate and define the powers and duties of the permanent members ;

(iii) Make such regulations as appear to him necessary or expedient for carrying into effect this Part of this Act.

(2) An Order of the Lord Lieutenant in Council under this section shall be laid before both Houses of Parliament as soon as may be after it is made, and, if within the next subsequent forty days on which either House has sat that House presents an address to His Majesty praying that any such Order may either in whole or in part be annulled, His Majesty in Council may annul the same either in whole or in part as the case may require, and the Order or part so annulled shall thenceforth become void without prejudice to the validity of any proceedings taken under the same in the meantime:

Provided that where any Order or any part thereof is so annulled, the Lord Lieutenant in Council may within six months thereof make another Order in place of the Order or part so annulled, subject nevertheless to be laid before Parliament, and to be annulled by His Majesty in Council in manner above mentioned, and so on as often as the case requires.

Grant of superannuation allowances by Congested Districts Board

52.—(1) It shall be lawful for the Congested Districts Board, with the approval of the Treasury, to grant to any permanent member of the Board on retirement such superannuation or other allowance (if any) as he would have been qualified for under the provisions of the Superannuation Acts, 1834 to 1892, or any Acts amending the same, if he were retiring from the permanent Civil Service of the State. Any such allowance shall be payable out of the funds at the disposal of the Board: Provided that, where a permanent member was at the time of his appointment a permanent Civil Servant of the State, such portion of the allowance as the Treasury determine to be properly payable in respect of his previous service in that capacity shall be payable in the same manner as a superannuation or other allowance under those Acts.

(2) The Congested Districts Board may, with the approval of the Treasury, make a scheme providing for the grant of pensions or gratuities, according to the scale and subject to the conditions (so far as applicable) prescribed by the Superannuation Acts, 1834 to 1892, or any Acts amending the same, to such officers or persons employed by them, not being otherwise pensionable, as may be from time to time approved by the Treasury; and the Board may pay to any such officers or persons out of the funds at their disposal such pensions or gratuities under the scheme as the Treasury may sanction in each case.

Sales of parcels of land by Congested Districts Board

53.—(1) The Board may sell any parcels of any land purchased by them after the passing of this Act to any tenants or proprietors of holdings in a congested districts county, or to any herdsmen employed on or in connection with the land.

(2) The provisions of this Act with respect to the application of the Land Purchase Acts to parcels of land shall apply in the case of the sale of any parcel of land under this section.

(3) Section seventy-five of the Act of 1903 shall cease to have effect, save as respects sales of parcels of land purchased by the Board before the passing of this Act.

Extension of 3 Edw. 7. c. 37. s. 19 to sales by the Congested Districts Board.

54. Where an estate is purchased by the Congested Districts Board, and tenants on the estate to the extent of three-fourths in number and rateable value have agreed to purchase their holdings, the Board may order that the remaining tenants or any of them shall be deemed to have accepted the offers made to them by the Board in any case where, under section eighty of the Act of 1903, the tenant could have obtained an advance of the entire purchase money and the Land Purchase Acts shall apply accordingly.

Extension of 3 Edw. 7. c. 37. s. 15 (6) to sales to the Congested Districts Board.

55. The powers conferred on the Land Judge by sub-section (6) of section fifteen of the Act of 1903 (which relates to sub-tenancies and subdivided holdings) for the purposes of the sale of an estate by the Land Judge to the Land Commission may be exercised by the Land Judge for the purposes of the sale of an estate by him to the Congested Districts Board.

Rents and profits recoverable by the Congested Districts Board.

56. Where, after the passing of this Act, the Congested Districts Board enter into an agreement under section seventy-nine of the Act of 1903, for the purchase of an estate or untenanted land, the provisions of section eighteen of that Act (which relates to rents and profits recoverable by the Land Commission) shall apply in like manner as they apply in the case of land agreed to be purchased by the Land Commission, subject to the following modifications (that is to say):—

(*a*) The Congested Districts Board shall be substituted for the Land Commission;

(*b*) All rents and profits and arrears of rent payable to the Board shall be recoverable by the Board in like manner as if the Board were the owner of the estate or untenanted land.

Restriction on purchases by the Board.

57. The Congested Districts Board shall not, after the passing of this Act, enter into an agreement for the purchase of any land which is not situated in a congested districts county.

Restrictions on sales of land in congested districts counties.

58.—(1) The Land Commission shall not, after the passing of this Act, enter into an agreement for the purchase of any land situated in a congested districts county, save with the consent of the Congested Districts Board: Provided that this subsection shall not apply in the case of any land required for the purposes of the Evicted Tenants (Ireland) Act, 1907. 7 Edw. 7. c. 56.

(2) No congested estate situated in a congested districts county shall, after the passing of this Act, be sold under the Land Purchase Acts, to persons other than the Congested Districts Board without the consent of that Board, which consent shall not be withheld unless the Board undertake to enter into an agreement or to send a final offer for the purchase of the estate within one year: Provided that this subsection

shall not apply in the case of any sale of a congested estate in pursuance of an originating application or request lodged before the passing of this Act.

Power to enter and inspect land with a view to purchase.

59. For the purpose of enabling the Congested Districts Board to ascertain the boundaries, extent, and character of any land which they propose to purchase under the Land Purchase Acts and to estimate the price to be offered for the same, any inspectors or other persons appointed by the Board may, after notice sent by post to the person who appears to the Board to be the owner thereof, enter upon the land and make all such inquiries and do all such things as may be necessary for the purpose aforesaid.

Procedure of the Board on failure of negotiations for purchase.

60.—(1) Where negotiations have been entered into or proposals have been made for the purchase under the Land Purchase Acts of any estate or untenanted land situated in a congested districts county, and no agreement has been arrived at, the Congested Districts Board may, if they think fit, send in the prescribed manner to the person who appears to them to be the owner a final offer in writing for the purchase of the estate or untenanted land.

(2) The provisions of Part II. of this Act with respect to the particulars to be inserted in a final offer sent by the Estates Commissioners shall apply in the case of a final offer sent by the Congested Districts Board under this section, with the substitution of the Congested Districts Board for the Estates Commissioners, and the provisions of Part II. of this Act with respect to the acceptance of a final offer sent by the Estates Commissioners shall apply in the case of the acceptance of a final offer sent by the Congested Districts Board, with the substitution of section seventy-nine of the Act of 1903 for section seventeen of that Act.

(3) If the final offer is not accepted in accordance with the foregoing provisions of this section, the Congested Districts Board may, if they think fit, send to the Estates Commissioners a requisition calling upon the Estates Commissioners to take steps to acquire the estate or untenanted land compulsorily in manner provided by Part IV. of this Act.

PART IV.

COMPULSORY PURCHASE.

Publication of notices.

61.—(1) The Estates Commissioners in any case where they propose to acquire compulsorily an estate or untenanted land—

(*a*) in respect of which a final offer has been sent by them and has not been accepted in manner provided by this Act; or

(*b*) in respect of which they have received a requisition under this Act from the Congested Districts Board,

shall publish in the Dublin Gazette a notice containing particulars of the final offer of the Land Commission or the Congested Districts Board as the case may be, and stating that the Estates Commissioners intend to purchase the estate or untenanted land described in the final offer at the price named in such offer, unless within the prescribed time an application is made under this Part of this Act to the Judicial Commissioner by any person interested in the estate or untenanted land.

(2) A copy of the final offer and of the aforesaid notice shall as soon as possible be served in the prescribed manner by the Estates Commissioners upon all persons known or believed by them to be interested in the estate or untenanted land.

Power to restrain compulsory acquisition of land.

62.—(1) If any person interested in the estate or untenanted land objects to the acquisition of the same under this Part of this Act on the ground—

(*a*) that other land sufficient and equally suitable for the purposes for which the estate or untenanted land is proposed to be acquired is available for purchase by the Commissioners or Board, as the case may be, by voluntary agreement at a reasonable price; or

(*b*) that the estate or untenanted land consists of or includes land in the occupation of the owner which is, or forms part of, a park, garden, pleasure ground, recreation ground, demesne, or home farm, or was purchased under the provisions of the Irish Church Act, 1869, for a sum not exceeding two thousand pounds; or 32 & 33 Vict. c. 42.

(*c*) that the estate or untenanted land consists of or includes land which has been purchased under the Land Purchase Acts, or is the property of a local authority, or is held by any corporation or company for the purposes of a railway, dock, canal, water, or other public undertaking; or

(*d*) that, if the estate or untenanted land is acquired as proposed, other land of the owner adjoining the estate or untenanted land will be injuriously affected:

he may, within the prescribed time and in the prescribed manner, apply to the Judicial Commissioner for an order restraining the Estates Commissioners from acquiring the estate or untenanted land, or any specified part or parts of the same under this Part of this Act.

(2) The Judicial Commissioner shall hear in the prescribed manner and determine all applications coming before him under this Part of this Act, and for that purpose shall have and may exercise the powers conferred on the Land Commission by subsections (1), (3), and (4) of section forty-eight of the Act of 1881, and may, if the justice of the case so requires, amend the final offer by excluding therefrom any part or parts of the lands therein described, or (with the consent of the owner and the body by whom the final offer was sent) by including therein any other lands of the owner.

(3) Where a final offer is amended by the Judicial Commissioner under this section, the body by whom the offer was sent may make such consequential amendments in the offer as appear to them to be necessary, and the offer as amended in pursuance of this section shall be deemed to be the final offer for the purpose of any subsequent proceedings under this Part of this Act.

(4) There shall be an appeal to the court of appeal from any decision of the Judicial Commissioner under this section, and the decision of the court of appeal shall be final.

(5) An order of the Judicial Commissioner or the court of appeal restraining the Estates Commissioners from acquiring land under this Part of this Act shall remain in force for five years after it is made.

(6) The expression "owner" in this section means any person having power under the Land Purchase Acts to sell the estate or untenanted land.

Applications as to price.

63.—(1) Subject to any application to the Judicial Commissioner under the last preceding section, and to the final determination of all questions arising thereon, any person interested in the estate or untenanted land who is dissatisfied with the price named in the final offer may apply, within the prescribed time and in the prescribed manner, by way of objection to the Judicial Commissioner to fix the price to be paid for the estate or untenanted land, and, subject to the provisions of this section, the price shall be fixed by the Judicial Commissioner accordingly.

(2) In fixing the price to be paid for an estate or untenanted land, regard shall be had to the fair value of the same to the owner, but no additional allowance shall be made in respect of the purchase being compulsory.

(3) The costs and expenses of and incidental to any application under this Part of this Act shall be at the discretion of the Judicial Commissioner, and the Judicial Commissioner may, if he thinks fit, order the same to be paid by the Land Commission or the Congested Districts Board.

Completion of purchase.

64. Subject to any application to the Judicial Commissioner under this Part of this Act, and the final determination of all questions arising thereon, the price named in the final offer or fixed as the case may be under this Part of this Act shall be deemed to be the purchase money of the estate or untenanted land, and shall, within the prescribed time, be paid into the Bank of Ireland, and the purchase shall be completed and the purchase money distributed in like manner, and all the like consequences shall ensue, as if the estate or untenanted land had been purchased by the Land Commission or the Congested Districts Board, as the case may be, by agreement entered into under the Act of 1903 as amended by this Act, upon the date of the payment of the purchase money into the Bank.

PART V.

LAND LAW.

Future tenants.

65.—(1) Where a present tenancy was determined at any time before the passing of this Act, the Land Commission may, subject to the provisions of the Land Law Acts, on the application in the prescribed manner of any tenant in occupation of the lands comprised in the said present tenancy or of any portion of those lands, being either—

(*a*) the person who was the tenant of the original holding at the time when the present tenancy was determined, or

(*b*) if such person is dead, a person who would have been entitled, whether under the will or as one of the next-of-kin or issue of the said tenant, to the said holding or any distributive share therein had the present tenancy therein not been determined :

fix the fair rent in respect of the said lands or portion in like manner as if the applicant was a present tenant of the same, and the statutory term resulting from the fixing of such fair rent shall not, nor shall the tenancy, be determined by the expiration of any lease or tenancy existing at the date of such application, but shall continue in like manner as if such lease or tenancy were an existing lease within the meaning of the Act of 1881.

(2) Any provision in any contract of tenancy or other instrument in any way prohibiting, restraining, or tending to prevent the fixing of a fair rent in respect of any holding to which this section applies, shall be void.

(3) Where a present tenancy has been sold under a writ of execution and assigned by the sheriff to the landlord, or a trustee for the landlord, the tenancy shall, for the purposes of this section, be deemed to have been determined.

(4) In this section the expression "prescribed" means prescribed by rules made by the Land Commission under section fifty of the Act of 1881 as amended by any subsequent enactment, and the expression "present tenancy" includes any existing lease within the meaning of the Act of 1881, and any tenancy which was determined at any time between the first day of January eighteen hundred and seventy-nine and the passing of the Act of 1881.

PART VI.

SUPPLEMENTAL.

Definitions.

66. In this Act, unless the context otherwise requires,—

The expression "prescribed," in any case not otherwise provided for, means prescribed by rules made by the Judicial Commissioner and the Estates Commissioners in the manner directed by subsection (13) of section twenty-three of the Act of 1903 ;

The expression "the Land Purchase Acts" includes the Land Purchase Acts as defined by the Act of 1896 and the Act of 1903, the Irish Land Act, 1907, and Parts I., II., and IV. of this Act;

7 Edw. 7. c. 38.

The expression "the Land Law Acts" means the Land Law Acts as defined by the Act of 1903 and Part V. of this Act;

44 & 45 Vict. c. 49.

The expression "the Act of 1881" means the Land Law (Ireland) Act, 1881;

50 & 51 Vict. c. 33.

The expression "the Act of 1887" means the Land Law (Ireland) Act, 1887;

54 & 55 Vict. c. 48.

The expression "the Act of 1891" means the Purchase of Land (Ireland) Act, 1891;

59 & 60 Vict. c. 47.

The expression "the Act of 1896" means the Land Law (Ireland) Act, 1896;

3 Edw. 7. c. 37.

The expression "the Act of 1903" means the Irish Land Act, 1903;

The expression "the Judicial Commissioner" means the Judicial Commissioner appointed under the Act of 1881; and

The expression "appointed day" means such day as the Lord Lieutenant may appoint.

Untenanted land.

67. Land in the occupation of a person holding under a fee farm grant or a lease for lives renewable for ever, or a lease for a term of years of which not less than sixty are unexpired, shall, for the purposes of the Evicted Tenants (Ireland) Act, 1907, be deemed to be untenanted land.

Construction.

68. Parts I., II., and IV. of this Act shall be construed as one with the Land Purchase Acts, and may be cited with those Acts.

Part III. of this Act shall be construed as one with the Congested Districts Board (Ireland) Acts, and may be cited with those Acts.

Part V. of this Act shall be construed as one with the Land Law Acts, and may be cited with those Acts.

Short title.

69. This Act may be cited as the Irish Land Act, 1909.

Repeals.

70. The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULES.

FIRST SCHEDULE.

Section 6.

(1) The percentage shall be a percentage on the amount advanced in respect of each holding and parcel of land comprised in the estate, and shall be calculated according to the number of years' purchase represented by the advance upon the following scale :—

Number of years' purchase represented by the Advance.		Rate of Percentage.
(1) Where the Rent is a Judicial Rent fixed or agreed to since the passing of the Act of 1896, or the Land is untenanted.	(2) Where the Rent is a Judicial Rent fixed or agreed to before the passing of the Act of 1896, or a Non-Judicial Rent.	
26 and upwards	24 and upwards	Nil
25 and under 26	23 and under 24	3
24 „ 25	22 „ 23	4
23 „ 24	21 „ 22	6
22 „ 23	20 „ 21	8
21 „ 22	19 „ 20	10
20 „ 21	18 „ 19	12
19 „ 20	17 „ 18	14
18 „ 19	16 „ 17	16
Under 18	Under 16	18

(2) In cases where an estate is purchased by the Estates Commissioners or the Congested Districts Board, and the advance is made in respect of the estate as a whole, the advance shall, for the purpose of the application of the scale, be apportioned between the holdings and parcels of land comprised in the estate in such manner as the Estates Commissioners or the Congested Districts Board, as the case may be, direct.

(3) In the case of the purchase of a parcel of untenanted land, and in any case where the amount advanced is less than the purchase money, the number of years' purchase represented by the advance shall be calculated in manner prescribed by the Treasury, regard being had in the case of untenanted land to the fair annual value of the land to the owner.

SECOND SCHEDULE.

Section 70.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
51 & 52 Vict. c. 49.	The Purchase of Land (Ireland) Amendment Act, 1888.	Section two, save as regards advances in pursuance of purchase agreements entered into before the passing of this Act.
54 & 55 Vict. c. 48.	The Purchase of Land (Ireland) Act, 1891.	Section thirty-four, from "consisting" to the end of the section, as from the appointed day.
56 & 57 Vict. c. 35.	The Congested Districts Board (Ireland) Act, 1893.	Subsections (2) and (3) of section two.
3 Edw. 7. c. 37.	The Irish Land Act, 1903.	In section one, subsection (4), save as regards advances in pursuance of purchase agreements entered into before the passing of this Act. Section two, save as regards sales of parcels of land in respect of which purchase agreements have been entered into before the passing of this Act. In subsection (4) of section six, the words "with the consent of the owner." Subsection (3) of section forty-three. Section forty-four. In subsection (1) of section forty-seven, from "provided" to end of subsection. Subsection (3) of section forty-eight. Subsections (1), (2), and (3) of section fifty-one. Section seventy-five, save as regards sales of parcels of land purchased by the Congested Districts Board before the passing of this Act.

CHAPTER 43.

An Act to amend the Law relating to Customs and Inland Revenue, and for other purposes connected with Finance. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Customs and Excise.

Power to require production of invoices, &c.

1.—(1) Where an entry or specification of goods or a shipping bill for goods has been delivered for the purposes of the Acts relating to the Customs, the proper officer of Customs and Excise may, at any time within twelve months after the delivery, require from the importer of the goods or his agent, or the exporter of the goods or his agent, as the case may be, the production of any invoices, bills of lading, or other documents, relating to the goods.

(2) If the importer or his agent, or the exporter or his agent, fails to comply with any such requirement, he shall for every such offence forfeit the sum of twenty pounds.

(3) The powers given by this section shall be in addition to, and not in derogation of, any power under the Acts relating to the Customs to require the production of invoices, bills of lading, and other documents upon the entry of goods or the delivery of the specification of goods.

Power to require payment of duty on deficiency in warehoused goods.

2. If at any time any deficiency beyond that which can be accounted for by natural waste or other legitimate cause is found in any package of imported goods warehoused, the occupier of the warehouse shall, on the written demand of an officer of Customs and Excise, be liable immediately to pay the duty on the quantity of goods originally warehoused, and, if he fails to pay the duty, shall forfeit double the amount of the duty.

Permit required for removal of spirits from one Customs warehouse to another. 43 & 44 Vict. c. 24.

3. Section one hundred and five of the Spirits Act, 1880, which relates to the removal of spirits accompanied by a permit or certificate, shall be read as if the words in subsection (3) "(the same not being under bond on removal from one "such warehouse to another such warehouse)" were omitted therefrom.

Information as to places from which goods are imported or to which goods are exported. 39 & 40 Vict. c. 36.

4.—(1) Section forty-one of the Customs Consolidation Act, 1876 (which makes provision with respect to the place from which goods are to be deemed to be imported) shall cease to have effect.

(2) The information to be furnished under the Customs Consolidation Act, 1876, in respect of goods imported or exported shall include such information in regard to the goods as the Commissioners of Customs and Excise may require to be given, and particularly, in the case of imported goods, the name of the place from which the goods were first consigned to the United Kingdom, and, in the case of exported goods, the name of the place of final destination of the goods, and the forms in Schedule B. to that Act may be altered by the Commissioners in such manner as they think expedient for giving effect to this section, and the Commissioners may, if they consider it

necessary, require evidence to be produced to their satisfaction in support of any information so furnished.

Provision as to drawback on tobacco.

5. Drawback shall not be paid, except with the consent of the Commissioners of Customs and Excise, upon any tobacco stalks or shorts or other refuse of tobacco (including offal snuff) which is not the produce of the ordinary manufacturing operations of the licensed tobacco manufacturer exporting or depositing the stalks, shorts, or refuse.

Addition of finings, &c. to beer deposited in a warehouse for exportation.

6. Subject to such regulations and security as the Commissioners of Customs and Excise may prescribe, a dealer in beer may deposit in a warehouse approved by the Commissioners beer brewed in the United Kingdom upon which duty has been paid, and may in the warehouse add to the beer finings for clarification or any other matter sanctioned by the Commissioners for the purpose of preparing the beer for exportation or use as ship's stores.

Part II.

Stamps.

Amendment as to certain contracts chargeable for the purposes of stamp duty as conveyances on sale 54 & 55 Vict. c. 39.

7. The limitation of section fifty-nine of the Stamp Act, 1891 (which makes certain contracts chargeable for the purposes of stamp duty as conveyances on sale) to contracts and agreements made in England, Ireland, or Scotland, shall cease to have effect.

Amendment of section 77 of the Stamp Act, 1891.

8. The provisions of subsection (2) of section seventy-seven of the Stamp Act, 1891 (which exempt a lease from stamp duty in respect of certain further considerations) shall not apply as respects any further consideration in the lease consisting of a covenant which if it were contained in a separate deed would be chargeable with ad valorem stamp duty, and accordingly the lease shall in any such case be charged with duty in respect of any such further consideration under section four of the said Act.

Stamp duty on allotment letters of fractional parts of shares

9. It is hereby declared that the term "share" under the heading "Letter of Allotment and Letter of Renunciation, or any other document having the effect of a letter of allotment" in the First Schedule to the Stamp Act, 1891, and under the heading "Scrip Certificate, Scrip, or other document" in that schedule, includes a fractional part of a share.

Provision as to stamping certain bills of exchange. 54 & 55 Vict. c. 39

62 & 63 Vict. c. 9.

10. The provisions in sections thirty-four and thirty-eight of the Stamp Act, 1891, which relate to bills of exchange payable on demand, or at sight, or on presentation, shall apply also to bills of exchange expressed to be payable at a period not exceeding three days after date or sight which are chargeable with the duty of one penny under subsection (2) of section ten of the Finance Act, 1899.

Part III.

Miscellaneous.

Fees on licences for importation of explosives. 38 & 39 Vict. c. 17.

11.—(1) His Majesty may by Order in Council fix the fees payable in respect of licences for the importation of explosives granted by the Secretary of State under or in pursuance of the Explosives Act, 1875, and the fees so fixed shall be payable in respect of any licence so granted.

(2) Section twenty-six of the Explosives Act, 1875, so far as it gives power to the Secretary of State to fix the fees in respect of licences for the importation of explosives, or affects the amount of those fees, shall cease to have effect.

(3) His Majesty may by Order in Council revoke, alter, or add to any Order made under this section.

Construction, repeal, and short title. 39 & 40 Vict. c. 36. 54 & 55 Vict. c. 39.

12.—(1) Part I. of this Act shall be construed together with the Customs Consolidation Act, 1876, and the Acts amending that Act, and Part II. of this Act shall be construed together with the Stamp Act, 1891, and the Acts amending that Act.

(2) The enactments mentioned in the schedule to this Act shall be repealed to the extent specified in the third column of that schedule.

(3) This Act may be cited as the Revenue Act, 1909.

SCHEDULE.

Section 12.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
38 & 39 Vict. c. 17.	The Explosives Act, 1875.	The first paragraph of section twenty-six, so far as it relates to fees payable in respect of licences for the importation of explosives. In the Third Schedule, the words from "importation" to "ten shillings."
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section forty-one.
43 & 44 Vict. c. 24.	The Spirits Act, 1880.	In subsection (3) of section one hundred and five, the words "(the same not being under "bond on removal from one "such warehouse to another such "warehouse)."

Session and Chapter.	Short Title.	Extent of Repeal.
54 & 55 Vict. c. 39.	The Stamp Act, 1891.	In subsection (1) of section fifty-nine, the words "made in England or Ireland under seal, or "under hand only, or made in "Scotland with or without any "clause of registration."

CHAPTER 44.

An Act to amend the Law relating to the Housing of the Working Classes, to provide for the making of Town Planning schemes, and to make further provision with respect to the appointment and duties of County Medical Officers of Health, and to provide for the establishment of Public Health and Housing Committees of County Councils. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Housing of the Working Classes.

Facilities for Acquisition of Lands and other Purposes of the Housing Acts.

Part III. of the principal Act to take effect without adoption. 53 & 54 Vict. c. 70.

1. Part III. of the Housing of the Working Classes Act, 1890 (in this Part of this Act referred to as the principal Act), shall, after the commencement of this Act, extend to and take effect in every urban or rural district, or other place for which it has not been adopted, as if it had been so adopted.

Provisions as to acquisition of land under Part III. of the principal Act.

2.—(1) A local authority may be authorised to purchase land compulsorily for the purposes of Part III. of the principal Act, by means of an order submitted to the Local Government Board and confirmed by the Board in accordance with the First Schedule to this Act.

(2) The procedure under this section for the compulsory purchase of land shall be substituted for the procedure for the same purpose under section one hundred and seventy-six of the Public Health Act, 1875, as applied by subsection (1) of section fifty-seven of the principal Act.

38 & 39 Vict. c. 55.

(3) A local authority may, with the consent of and subject to any conditions imposed by the Local Government Board,

acquire land by agreement for the purposes of Part III. of the principal Act, notwithstanding that the land is not immediately required for those purposes.

Loans by Public Works Loan Commissioners to local authorities.

3. Where a loan is made by the Public Works Loan Commissioners to a local authority for any purposes of the Housing Acts—

(*a*) The loan shall be made at the minimum rate allowed for the time being for loans out of the Local Loans Fund; and

(*b*) If the Local Government Board make a recommendation to that effect, the period for which the loan is made by the Public Works Loan Commissioners may exceed the period allowed under the principal Act or under any other Act limiting the period for which the loan may be made, but the period shall not exceed the period recommended by the Local Government Board, nor in any case eighty years; and

(*c*) As between loans for different periods, the longer duration of the loan shall not be taken as a reason for fixing a higher rate of interest.

Loans by Public Works Loan Commissioners to public utility societies.

4.—(1) Where a loan is made by the Public Works Loan Commissioners under section sixty-seven, subsection (2) (*d*), of the principal Act, to a public utility society, the words "two thirds" shall be substituted for the words "one moiety."

(2) For the purposes of this section a public utility society means a society registered under the Industrial and Provident Societies Act, 1893, or any amendment thereof, the rules whereof prohibit the payment of any interest or dividend at a rate exceeding five pounds per centum per annum.

56 & 57 Vict. c. 39.

Payment of purchase or compensation money (which would otherwise be paid into court) on direction of Local Government Board.

5.—(1) Any purchase money or compensation payable in pursuance of the Housing Acts by a local authority in respect of any lands, estate, or interest of another local authority which would, but for this section, be paid into court in manner provided by the Lands Clauses Acts or by paragraph (20) of the Second Schedule to the principal Act may, if the Local Government Board consent, instead of being paid into court, be paid and applied as the Board determine.

(2) Any such decision of the Board as to the payment and application of any such purchase money or compensation shall be final and conclusive.

Provision of public streets in connexion with exercise of powers under Part III. of the principal Act.

6. Any local authority in connexion with the exercise by them of their powers under Part III. of the principal Act may lay out and construct public streets or roads on any land acquired or appropriated by them for the purpose of that Part of that Act, or contribute towards the cost of the laying out and construction of any streets or roads on any such land by other persons on the condition that those streets or roads are to be dedicated to the public.

Expenditure of money for housing purposes in case of settled land. 45 & 46 Vict. c. 38.

7.—(1) The following paragraph shall be substituted for paragraph (*b*) of subsection (1) of section seventy-four of the principal Act:—

(*b*) The improvements on which capital money arising under the Settled Land Act, 1882, may be expended, enumerated in section twenty-five of the said Act and referred to in section thirty of the said Act, shall, in addition to cottages for labourers, farm servants, and artisans, whether employed on the settled land or not, include the provision of dwellings available for the working classes, either by means of building new buildings or by means of the reconstruction, enlargement, or improvement of existing buildings, so as to make them available for the purpose, if that provision of dwellings is, in the opinion of the court, not injurious to the estate or is agreed to by the tenant for life and the trustees of the settlement.

(2) The provision by a tenant for life, at his own expense, of dwellings available for the working classes on any settled land shall not be deemed to be an injury to any interest in reversion or remainder in that land; provided that the powers conferred upon a tenant for life by this subsection shall not be exercised by him without the previous approval in writing of the trustees of the settlement.

Donations for housing purposes.

51 & 52 Vict. c. 42.

8. A local authority may accept a donation of land or money or other property for any of the purposes of the Housing Acts, and it shall not be necessary to enrol any assurance with respect to any such property under the Mortmain and Charitable Uses Act, 1888.

Provisions with respect to money applicable under trusts for housing purposes.

9.—(1) If in any case it appears to the Local Government Board that the institution of legal proceedings is requisite or desirable with respect to any property required to be applied under any trusts for the provision of dwellings available for the working classes, or that the expediting of any such legal proceedings is requisite or desirable, the Board may certify the case to the Attorney-General, and the Attorney-General, if he thinks fit, shall institute any legal proceedings or intervene in any legal proceedings already instituted in such manner as he thinks proper under the circumstances.

(2) Before preparing any scheme with reference to property required to be applied under any trusts for the provision of dwellings available for the working classes, the court or body who are responsible for making the scheme shall communicate with the Local Government Board and receive and consider any recommendations made by the Board with reference to the proposed scheme.

Powers of enforcing Execution of Housing Acts.

Power of Local Government Board on complaint to enforce exercise of powers.

10.—(1) Where a complaint is made to the Local Government Board—

(*a*) as respects any rural district by the council of the county in which the district is situate, or by the parish council or parish meeting of any parish comprised in the district, or by any four inhabitant householders of the district; or

(*b*) as respects any county district, not being a rural district, by the council of the county in which the district is situated, or by four inhabitant householders of the district; or

(*c*) as respects the area of any other local authority by four inhabitant householders of the area;

that the local authority have failed to exercise their powers under Part II. or Part III. of the principal Act in cases where those powers ought to have been exercised, the Board may cause a public local inquiry to be held, and if, after holding such an inquiry, the Board are satisfied that there has been such a failure on the part of the local authority, the Board may declare the authority to be in default, and may make an order directing that authority, within a time limited by the order, to carry out such works and do such other things as may be mentioned in the order for the purpose of remedying the default.

(2) Before deciding that a local authority have failed to exercise their powers under Part III. of the principal Act, the Board shall take into consideration the necessity for further accommodation for the housing of the working classes in such district, the probability that the required accommodation will not be otherwise provided, and the other circumstances of the case, and whether, having regard to the liability which will be incurred by the rates, it is prudent for the local authority to undertake the provision of such accommodation.

(3) Where an order originally made under this section on the council of a county district is not complied with by that council, the Local Government Board may, if they think fit, with the consent of the county council, instead of enforcing that order against the council of the county district, make an order directing the county council to carry out any works or do any other things which are mentioned in the original order for the purpose of remedying the default of the district council.

(4) Where the Board make an order under this section directing a county council to carry out any works or do any other thing, the order may, for the purpose of enabling the county council to give effect to the order, apply any of the provisions of the Housing Acts or of section sixty-three of the Local Government Act, 1894, with such modifications or adaptations (if any) as appear necessary or expedient. 56 & 57 Vict. c. 73.

(5) An order made by the Local Government Board under this section shall be laid before both Houses of Parliament as soon as may be after it is made.

(6) Any order made by the Local Government Board under this section may be enforced by mandamus.

Power of Local Government Board to order schemes, &c. to be carried out within a limited time.

11.—(1) Where it appears to the Local Government Board that a local authority have failed to perform their duty under the Housing Acts of carrying out an improvement scheme under Part I. of the principal Act, or have failed to give effect to any order as respects an obstructive building, or to a reconstruction scheme, under Part II. of that Act, or have failed to cause to be made the inspection of their district required by this Act, the Board may make an order requiring the local authority to remedy the default and to carry out any works or do any other things which are necessary for the purpose under the Housing Acts within a time fixed by the order.

(2) Any order made by the Local Government Board under this section may be enforced by mandamus.

Powers of county council to act in default of rural district council under Part III. of the principal Act.

12. Where a complaint is made to the council of a county by the parish council or parish meeting of any parish comprised in any rural district in the county, or by any four inhabitant householders of that district, the county council may cause a public local inquiry to be held, and if, after holding such an inquiry, the county council are satisfied that the rural district council have failed to exercise their powers under Part III. of the principal Act in cases where those powers ought to have been exercised, the county council may resolve that the powers of the district council for the purposes of that Part be transferred to the county council with respect either to the whole district or to any parish in the district, and those powers shall be transferred accordingly, and, subject to the provisions of this Act, section sixty-three of the Local Government Act, 1894, shall apply as if the powers had been transferred under that Act.

Power of county council to exercise powers of rural district council under Part III of the principal Act.

13.—(1) Where the council of a county are of opinion that for any reason it is expedient that the council should exercise, as respects any rural district in the county, any of the powers of a local authority under Part III. of the principal Act, the council, after giving notice to the council of the district of their intention to do so, may apply to the Local Government Board for an order conferring such powers on them.

(2) Upon such an application being made, the Board may make an order conferring on the county council as respects the rural district all or any of the powers of a local authority under Part III. of the principal Act, and thereupon the provisions of the Housing Acts relating to those powers (including those enabling the Public Works Loan Commissioners to lend, and fixing the terms for which money may be lent and borrowed) shall apply as if the council were a local authority under Part III. of the principal Act: Provided that the expenses

incurred by the county council under any such order shall be defrayed as expenses for general county purposes.

(3) Where, under any such order, the county council have executed any works in a rural district they may transfer the works to the council of that district on such terms and subject to such conditions as may be agreed between them.

Contracts by Landlord.

Extension of section 75 of the principal Act.

14. In any contract made after the passing of this Act for letting for habitation a house or part of a house at a rent not exceeding—

(*a*) in the case of a house situate in the administrative county of London, forty pounds;

(*b*) in the case of a house situate in a borough or urban district with a population according to the last census for the time being of fifty thousand or upwards, twenty-six pounds;

(*c*) in the case of a house situate elsewhere, sixteen pounds;

there shall be implied a condition that the house is at the commencement of the holding in all respects reasonably fit for human habitation, but the condition aforesaid shall not be implied when a house or part of a house is let for a term of not less than three years upon the terms that it be put by the lessee into a condition reasonably fit for occupation, and the lease is not determinable at the option of either party before the expiration of that term.

Condition as to keeping houses let to persons of the working classes in repair.

15.—(1) The last foregoing section shall, as respects contracts to which that section applies, take effect as if the condition implied by that section included an undertaking that the house shall, during the holding, be kept by the landlord in all respects reasonably fit for human habitation.

(2) The landlord or the local authority, or any person authorised by him or them in writing, may at reasonable times of the day, on giving twenty-four hours' notice in writing to the tenant or occupier, enter any house, premises, or building to which this section applies for the purpose of viewing the state and condition thereof.

(3) If it appears to the local authority within the meaning of Part II. of the principal Act that the undertaking implied by virtue of this section is not complied with in the case of any house to which it applies, the authority shall, if a closing order is not made with respect to the house, by written notice require the landlord, within a reasonable time, not being less than twenty-one days, specified in the notice, to execute such works as the authority shall specify in the notice as being necessary to make the house in all respects reasonably fit for human habitation.

(4) Within twenty-one days after the receipt of such notice the landlord may by written notice to the local authority declare

his intention of closing the house for human habitation, and thereupon a closing order shall be deemed to have become operative in respect of such house.

(5) If the notice given by the local authority is not complied with, and if the landlord has not given the notice mentioned in the immediately preceding subsection, the authority may, at the expiration of the time specified in the notice given by them to the landlord, do the work required to be done and recover the expenses incurred by them in so doing from the landlord as a civil debt in manner provided by the Summary Jurisdiction Acts, or, if they think fit, the authority may by order declare any such expenses to be payable by annual instalments within a period not exceeding that of the interest of the landlord in the house, nor in any case five years, with interest at a rate not exceeding five pounds per cent. per annum, until the whole amount is paid, and any such instalments or interest or any part thereof may be recovered from the landlord as a civil debt in manner provided by the Summary Jurisdiction Acts.

(6) A landlord may appeal to the Local Government Board against any notice requiring him to execute works under this section, and against any demand for the recovery of expenses from him under this section or order made with respect to those expenses under this section by the authority, by giving notice of appeal to the Board within twenty-one days after the notice is received, or the demand or order is made, as the case may be, and no proceedings shall be taken in respect of such notice requiring works, order, or demand, whilst the appeal is pending.

(7) In this section the expression "landlord" means any person who lets to a tenant for habitation the house under any contract referred to in this section, and includes his successors in title; and the expression "house" includes part of a house.

(8) Sections forty-nine and fifty of the principal Act as amended by section thirteen of the Housing of the Working Classes Act, 1903 (which relate to the service of notices and the description of owner in proceedings), shall apply for the purposes of this section, with the substitution, where required, of the landlord for the owner of a dwelling-house.

3 Edw. 7. c. 39

(9) Any remedy given by this section for non-compliance with the undertaking implied by virtue of this section shall be in addition to and not in derogation of any other remedy available to the tenant against the landlord, either at common law or otherwise.

Extension of power of making byelaws with respect to lodging-houses for the working classes.

54 & 55 Vict. c. 76.

16.—(1) The power of making and enforcing byelaws under section ninety of the Public Health Act, 1875, and section ninety-four of the Public Health (London) Act, 1891, with respect to houses or parts of houses which are let in lodgings or occupied by members of more than one family, shall, in the case of houses intended for the working classes, extend to the

making and enforcing of byelaws imposing any duty (being a duty which may be imposed by the byelaws and which involves the execution of work) upon the owner within the meaning of the said Acts, in addition to or in substitution for any other person having an interest in the premises, and prescribing the circumstances and conditions in and subject to which any such duty is to be discharged.

(2) For the purpose of discharging any duty so imposed, the owner or other person may at all reasonable times enter upon any part of the premises, and section fifty-one of the principal Act shall apply as if for the reference to the provisions of Part II. of that Act there were substituted a reference to the provisions of such byelaws, and as if the person on whom such duty is imposed were the owner and any inmate of the premises were the occupier of a dwelling-house.

(3) Where an owner or other person has failed to execute any work which he has been required to execute under the byelaws, the local authority or sanitary authority, as the case may be, may, after giving to him not less than twenty-one days' notice in writing, themselves execute the works and recover the costs and expenses, and for that purpose the provisions of subsection (5) of the last foregoing section, with respect to the execution of works and the recovery of expenses by local authorities, shall apply as if the owner or other person were the landlord, and with such other adaptations as may be necessary.

Amendment of Procedure for Closing Orders and Demolition Orders.

Duty of local authority as to closing of dwelling-house unfit for human habitations.

17.—(1) It shall be the duty of every local authority within the meaning of Part II. of the principal Act to cause to be made from time to time inspection of their district, with a view to ascertain whether any dwelling-house therein is in a state so dangerous or injurious to health as to be unfit for human habitation, and for that purpose it shall be the duty of the local authority, and of every officer of the local authority, to comply with such regulations and to keep such records as may be prescribed by the Board.

(2) If, on the representation of the medical officer of health, or of any other officer of the authority, or other information given, any dwelling-house appears to them to be in such a state, it shall be their duty to make an order prohibiting the use of the dwelling-house for human habitation (in this Act referred to as a closing order) until in the judgment of the local authority the dwelling-house is rendered fit for that purpose.

(3) Notice of a closing order shall be forthwith served on every owner of the dwelling-house in respect of which it is made, and any owner aggrieved by the order may appeal to the Local Government Board by giving notice of appeal to the Board within fourteen days after the order is served upon him.

(4) Where a closing order has become operative, the local authority shall serve notice of the order on every occupying tenant of the dwelling-house in respect of which the order is made, and, within such period as is specified in the notice, not being less than fourteen days after the service of the notice, the order shall be obeyed by him, and he and his family shall cease to inhabit the dwelling-house, and in default he shall be liable on summary conviction to be ordered to quit the dwelling-house within such time as may be specified in the order.

(5) Unless the dwelling-house has been made unfit for habitation by the wilful act or default of the tenant or of any person for whom as between himself and the owner or landlord he is responsible, the local authority may make to every such tenant such reasonable allowance on account of his expense in removing as may be determined by the local authority with the consent of the owner of the dwelling-house, or, if the owner of the dwelling-house fails to consent to the sum determined by the local authority, as may be fixed by a court of summary jurisdiction, and the amount of the said allowance shall be recoverable by the local authority from the owner of the dwelling-house as a civil debt in manner provided by the Summary Jurisdiction Acts.

(6) The local authority shall determine any closing order made by them if they are satisfied that the dwelling-house, in respect of which the order has been made, has been rendered fit for human habitation.

If, on the application of any owner of a dwelling-house, the local authority refuse to determine a closing order, the owner may appeal to the Local Government Board by giving notice of appeal to the Board within fourteen days after the application is refused.

(7) A room habitually used as a sleeping place, the surface of the floor of which is more than three feet below the surface of the part of the street adjoining or nearest to the room, shall for the purposes of this section be deemed to be a dwelling-house so dangerous or injurious to health as to be unfit for human habitation, if the room either—

(*a*) is not on an average at least seven feet in height from floor to ceiling; or

(*b*) does not comply with such regulations as the local authority with the consent of the Local Government Board may prescribe for securing the proper ventilation and lighting of such rooms, and the protection thereof against dampness, effluvia, or exhalation: Provided that if the local authority, after being required to do so by the Local Government Board, fail to make such regulations, or such regulations as the Board approve, the Board may themselves

make them, and the regulations so made shall have effect as if they had been made by the local authority with the consent of the Board:

Provided that a closing order made in respect of a room to which this subsection applies shall not prevent the room being used for purposes other than those of a sleeping place; and that, if the occupier of the room after notice of an order has been served upon him fails to comply with the order, an order to comply therewith may, on summary conviction, be made against him.

This subsection shall not come into operation until the first day of July nineteen hundred and ten, and a closing order made in respect of any room to which this subsection applies shall not be treated as a closing order in respect of a dwelling-house for the purposes of the next succeeding section.

Order for demolition.

18.—(1) Where a closing order in respect of any dwelling-house has remained operative for a period of three months, the local authority shall take into consideration the question of the demolition of the dwelling-house, and shall give every owner of the dwelling-house notice of the time (being some time not less than one month after the service of the notice) and place at which the question will be considered, and any owner of the dwelling-house shall be entitled to be heard when the question is so taken into consideration.

(2) If upon any such consideration the local authority are of opinion that the dwelling-house has not been rendered fit for human habitation, and that the necessary steps are not being taken with all due diligence to render it so fit, or that the continuance of any building, being or being part of the dwelling-house, is a nuisance or dangerous or injurious to the health of the public or of the inhabitants of the neighbouring dwelling-houses, they shall order the demolition of the building.

(3) If any owner undertakes to execute forthwith the works necessary to render the dwelling-house fit for human habitation, and the local authority consider that it can be so rendered fit for human habitation, the local authority may, if they think fit, postpone the operation of the order for such time, not exceeding six months, as they think sufficient for the purpose of giving the owner an opportunity of executing the necessary works.

(4) Notice of an order for the demolition of a building shall be forthwith served on every owner of the building in respect of which it is made, and any owner aggrieved by the order may appeal to the Local Government Board by giving notice of appeal to the Board within twenty-one days after the order is served upon him.

Power to redeem annuities charged by charging order under section 36 of the principal Act.

19. Any owner of or other person interested in a dwelling-house on which an annuity has been charged by a charging order made under section thirty-six of the principal Act (which relates to the grant of charges) shall at any time be at liberty to redeem the annuity on payment to the person entitled to the

annuity of such sum as may be agreed upon, or in default of agreement determined by the Local Government Board.

Provision as to priority of charges under section 37 of the principal Act.

20. The charges excepted in subsection (1) of section thirty-seven of the principal Act (which relates to the incidence of charges) shall include charges on the dwelling-house created or arising under any provision of the Public Health Acts, or under any provision in any local Act authorising a charge for recovery of expenses incurred by a local authority.

Restriction on power of court of summary jurisdiction to extend time.

21. Subsection (3) of section forty-seven of the principal Act (which gives power to a court of summary jurisdiction to enlarge the time for certain matters) shall cease to have effect as respects the time allowed for the execution of any works or the demolition of a building under a closing order or under an order for the demolition of a building.

Amendments with respect to Improvement and Reconstruction Schemes.

Amendment of section 4 of the principal Act as to official representation.

22. In section four of the principal Act (which relates to an official representation), the words "that the most satisfactory "method of dealing with the evils connected with such houses, "courts, or alleys, and the sanitary defects in such area is an "improvement scheme" shall be substituted for the words "that the evils connected with such houses, courts, or alleys, "and the sanitary defects in such area cannot be effectually "remedied otherwise than by means of an improvement "scheme."

Amendment of the principal Act as to contents of schemes.

23.—(1) Section six of the principal Act (which relates to the contents of an improvement scheme) shall be read as if in subsection (1) the words "for sanitary purposes" were omitted in paragraph (*a*); and as if the following paragraph was inserted at the end of that subsection:—

"and

(*e*) may provide for any other matter (including the closing and diversion of highways) for which it seems expedient to make provision with a view to the improvement of the area or the general efficiency of the scheme."

(2) Provision may be made in a reconstruction scheme under Part II. of the principal Act for any matters for which provision may be made in an improvement scheme made under Part I. of that Act.

Amendment of 3 Edw. 7. c. 39 s. 5

24.—(1) Paragraphs (*a*) and (*b*) of subsection (2) of section five of the Housing of the Working Classes Act, 1903 (which limit the cases under which an order confirming an improvement scheme takes effect without confirmation by Parliament), shall cease to have effect.

(2) An order of the Local Government Board sanctioning a reconstruction scheme, and authorising the compulsory purchase of land for the purpose shall, notwithstanding anything in section thirty-nine of the principal Act, take effect without confirmation.

Modification of schemes.

25. The Local Government Board may, in the exercise of their power under section fifteen or subsection (9) of section thirty-nine of the principal Act, permit the local authority to modify their scheme, not only by the abandonment of any part of the scheme which it may appear inexpedient to carry into execution, but also by amending or adding to the scheme in matters of detail in such manner as appears expedient to the Board.

Inquiries by Local Government Board inspectors as to unhealthy areas.

26. Any inspector or officer of the Local Government Board, or any person employed by the Board, may be directed to make any inspection or inquiry which is required for the purposes of section sixteen of the principal Act (which relates to inquiries made on the default of a medical officer), and section eighty-five of that Act (which relates to inquiries by the Local Government Board), as amended by this Act, shall apply as respects any inspection or inquiry so held as it applies to local inquiries held under that section.

Amendment as to the vesting of water pipes, &c.

27. An improvement scheme under Part I. of the principal Act may, with the consent of the person or body of persons entitled to any right or easement which would be extinguished by virtue of section twenty-two of the principal Act, provide for any exceptions, restrictions, or modifications in the application to that right or easement of that section, and that section shall take effect subject to any such exceptions, restrictions, or modifications.

Amendment of section 38 of the principal Act as to distribution of compensation money and as to betterment charges.

28.—(1) The amount of any compensation payable under section thirty-eight of the principal Act (which relates to obstructive buildings) shall, when settled by arbitration in manner provided by that section, be apportioned by the arbitrator between any persons having an interest in the compensation in such manner as the arbitrator determines.

(2) The power of the arbitrator to apportion compensation under the foregoing provision and to apportion any part of the compensation to be paid for the demolition of an obstructive building amongst other buildings under subsection (8) of the said section thirty-eight may be exercised in cases where the amount to be paid for compensation has been settled, otherwise than by arbitration under the principal Act, by an arbitrator appointed for the special purpose, on the application of the local authority, by the Local Government Board, and the provisions of that Act shall apply as if the arbitrator so appointed had been appointed as arbitrator to settle the amount to be paid for compensation.

Explanation of sections 21 (2) and 41 (3) of the principal Act

29. For removing doubts it is hereby declared that a local authority may tender evidence before an arbitrator to prove the facts under the headings (first) (secondly) (thirdly) mentioned in subsection (2) of section twenty-one and subsection (3) of section forty-one of the principal Act, notwithstanding that the local authority have not taken any steps with a view to remedying the defects or evils disclosed by the evidence.

Amendments with respect to Financial Matters.

Amendment as to application of money borrowed for the purpose of the Dwelling-house Improvement Fund

30. No deficiency in the Dwelling-house Improvement Fund shall be supplied under subsection (2) of section twenty-four of the principal Act out of borrowed money unless the deficiency arises in respect of money required for purposes to which borrowed money is, in the opinion of the Local Government Board, properly applicable.

Expenses of rural district council under Part III. of the principal Act.

31.—(1) The expenses incurred by a rural district council after the passing of this Act in the execution of Part III. of the principal Act shall be defrayed as general expenses of the council in the execution of the Public Health Acts, except so far as the Local Government Board on the application of the council declare that any such expenses are to be levied as special expenses charged on specified contributory places, or as general expenses charged on specified contributory places, in the district, in such proportions as the district council may determine, to the exclusion of other parts of the district, and a rural district council may borrow for the purposes of Part III. of the principal Act in like manner and subject to the like conditions as for the purpose of defraying the above-mentioned general or special expenses.

(2) The district council shall give notice to the overseers of any contributory place proposed to be charged of any apportionment made by them under this section, and the overseers, if aggrieved by the apportionment, may appeal to the Local Government Board by giving notice of appeal to the Board within twenty-one days after notice has been so given of the apportionment.

Application of proceeds of land sold under Part III. of the principal Act.

32. Where any land vested in a local authority for the purposes of Part III. of the principal Act is sold under section sixty of that Act (which relates to the sale and exchange of lands), the proceeds may be applied not only as provided by that section, but also for any purpose, including repayment of borrowed money, for which capital money may be applied, and which is approved by the Local Government Board.

Mode in which contributions by London borough councils to the County Council or vice versâ may be made.

33. Any payment or contribution agreed or ordered to be made under subsection (6) or (7) of section forty-six of the principal Act, as amended by section fourteen of the Housing of the Working Classes Act, 1903 (which relate to payments or contributions by borough councils towards the expenses of the county council or by the county council towards the expenses of

borough councils in London), may be made either by means of the payment of a lump sum or by means of an annual payment of such amount and for such number of years as may be agreed upon or ordered.

Exemption from section 133 of 8 & 9 Vict. c. 18.

34. Section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (relating to Land Tax and poor rate), shall not apply in the case of any lands of which a local authority becomes possessed by virtue of the Housing Acts.

Exemption of lodging-houses for the working classes from Inhabited House Duty.

35.—(1) The assessment to Inhabited House Duty of any house occupied for the sole purpose of letting lodgings to persons of the working classes, at a charge of not exceeding sixpence a night for each person, shall be discharged by the Commissioners acting in the execution of the Acts relating to the Inhabited House Duties, upon the production of a certificate to the effect that the house is solely constructed and used to afford suitable accommodation for the lodgers, and that due provision is made for their sanitary requirements.

(2) The provisions of subsection (2) of section twenty-six of the Customs and Inland Revenue Act, 1890, in relation to the certificate mentioned therein, shall, so far as applicable, apply to the certificate to be produced under this section.

53 & 54 Vict. c. 8.

General Amendments.

Power of entry.

36. Any person authorised in writing stating the particular purpose or purposes for which the entry is authorised, by the local authority or the Local Government Board, may at all reasonable times, on giving twenty-four hours' notice to the occupier and to the owner, if the owner is known, of his intention, enter any house, premises, or buildings—

(*a*) for the purpose of survey or valuation, in the case of houses, premises, or buildings which the local authority are authorised to purchase compulsorily under the Housing Acts; and

(*b*) for the purpose of survey and examination, in the case of any dwelling-house in respect of which a closing order or an order for demolition has been made; or

(*c*) for the purpose of survey and examination, where it appears to the authority or Board that survey or examination is necessary in order to determine whether any powers under the Housing Acts should be exercised in respect of any house, premises, or building.

Notice may be given to the occupier for the purposes of this section by leaving a notice addressed to the occupier, without name or further description, at the house, buildings, or premises.

Power of Local Government Board to

37. If it appears to the Local Government Board that owing to density of population, or any other reason, it is expedient

obtain a report on any crowded area.

to inquire into the circumstances of any area with a view to determining whether any powers under the Housing Acts should be put into force in that area or not, the Local Government Board may require the local authority to make a report to them containing such particulars as to the population of the district and other matters as they direct, and the local authority shall comply with the requirement of the Local Government Board, and any expenses incurred by them in so doing shall be paid as expenses incurred in the execution of such Part of the principal Act as the Local Government Board determine.

Joint action by local authorities.

38. Where, upon an application made by one of the local authorities concerned, the Local Government Board are satisfied that it is expedient that any local authorities should act jointly for any purposes of the Housing Acts, either generally or in any special case, the Board may by order make provision for the purpose, and any provisions so made shall have the same effect as if they were contained in a provisional order made under section two hundred and seventy-nine of the Public Health Act, 1875, for the formation of a united district.

Appeals to Local Government Board.

39.—(1) The procedure on any appeal under this Part of this Act, including costs, to the Local Government Board shall be such as the Board may by rules determine, and on any such appeal the Board may make such order in the matter as they think equitable, and any order so made shall be binding and conclusive on all parties, and, where the appeal is against any notice, order, or apportionment given or made by the local authority, the notice, order, or apportionment may be confirmed, varied, or quashed, as the Board think just.

Provided that—

(*a*) the Local Government Board may at any stage of the proceedings on appeal, and shall, if so directed by the High Court, state in the form of a special case for the opinion of the court any question of law arising in the course of the appeal; and

(*b*) the rules shall provide that the Local Government Board shall not dismiss any appeal without having first held a public local inquiry.

(2) Any notice, order, or apportionment as respects which an appeal to the Local Government Board is given under this Part of this Act shall not become operative, until either the time within which an appeal can be made under this Part of this Act has elapsed without an appeal being made, or, in case an appeal is made, the appeal is determined or abandoned, and no work shall be done or proceedings taken under any such notice, order, or apportionment, until it becomes operative.

(3) The Local Government Board may, before considering any appeal which may be made to them under this Part of this Act, require the appellant to deposit such sum to cover the costs

of the appeal as may be fixed by the rules made by them with reference to appeals.

Sale and disposal of dwellings.

40. Notwithstanding anything contained in the principal Act it shall not be obligatory upon a local authority to sell and dispose of any lands or dwellings acquired or constructed by them for any of the purposes of the Housing Acts.

Power to prescribe forms and to dispense with advertisements and notices.

41.—(1) The Local Government Board may by order prescribe the form of any notice, advertisement, or other document, to be used in connection with the powers and duties of a local authority or of the Board under the Housing Acts, and the forms so prescribed, or forms as near thereto as circumstances admit, shall be used in all cases to which those forms are applicable.

(2) The Local Government Board may dispense with the publication of advertisements or the service of notices required to be published or served by a local authority under the Housing Acts, if they are satisfied that there is reasonable cause for dispensing with the publication or service.

(3) Any such dispensation may be given by the Local Government Board either before or after the time at which the advertisement is required to be published or the notice is required to be served, and either unconditionally or upon such conditions as to the publication of other advertisements or the service of other notices or otherwise as the Board think fit, due care being taken by the Board to prevent the interests of any person being prejudiced by the dispensation.

Provision as to publication in London Gazette.

42. Where under the Housing Acts, any scheme or order or any draft scheme or order is to be published in the London Gazette, or notice of any such scheme or order or draft scheme or order is to be given in the London Gazette, it shall be sufficient in lieu of such publication or notice to insert a notice giving short particulars of the scheme, order, or draft, and stating where copies thereof can be inspected or obtained in two local newspapers circulating in the area affected by the scheme, order, or draft, or to give notice thereof in such other manner as the Local Government Board determine.

Prohibition of back-to-back houses.

43. Notwithstanding anything in any local Act or byelaw in force in any borough or district, it shall not be lawful to erect any back-to-back houses intended to be used as dwellings for the working classes, and any such house commenced to be erected after the passing of this Act shall be deemed to be unfit for human habitation for the purposes of the provisions of the Housing Acts.

Provided that nothing in this section—

(*a*) shall prevent the erection or use of a house containing several tenements in which the tenements are placed back to back, if the medical officer of health for the district certifies that the several tenements

are so constructed and arranged as to secure effective ventilation of all habitable rooms in every tenement; or

(*b*) shall apply to houses abutting on any streets the plans whereof have been approved by the local authority before the first day of May nineteen hundred and nine, in any borough or district in which, at the passing of this Act, any local Act or byelaws are in force permitting the erection of back-to-back houses.

Power to Local Government Board to revoke unreasonable byelaws.

44. If the Local Government Board are satisfied, by local inquiry or otherwise, that the erection of dwellings for the working classes within any borough, or urban or rural district, is unreasonably impeded in consequence of any byelaws with respect to new streets or buildings in force therein, the Board may require the local authority to revoke such byelaws or to make such new byelaws as the Board may consider necessary for the removal of the impediment. If the local authority do not within three months after such requisition comply therewith, the Board may themselves revoke such byelaws, and make such new byelaws as they may consider necessary for the removal of the impediment, and such new byelaws shall have effect as if they had been duly made by the local authority and confirmed by the Board.

Saving of sites of ancient monuments, &c.

45. Nothing in the Housing Acts shall authorise the acquisition for the purposes of those Acts of any land which is the site of an ancient monument or other object of archæological interest, or the compulsory acquisition for the purposes of Part III. of the Housing of the Working Classes Act, 1890, of any land which is the property of any local authority or has been acquired by any corporation or company for the purposes of a railway, dock, canal, water, or other public undertaking, or which at the date of the order forms part of any park, garden, or pleasure ground, or is otherwise required for the amenity or convenience of any dwelling-house.

53 & 54 Vict. c. 70.

Minor amendments of Housing Acts

46. The amendments specified in the second column of the Second Schedule to this Act, which relate to minor details, shall be made in the provisions of the Housing Acts specified in the first column of that Schedule, and section sixty-three of the principal Act (which relates to the disqualification of tenants of lodging-houses on receiving poor relief) shall be repealed.

Definitions.

Provisions of this Part to be deemed to be part of the appropriate Part of the principal Act.

47.—(1) Any provisions of this Act which supersede or amend any provisions of the principal Act shall be deemed to be part of that Part of the principal Act in which the provisions superseded or amended are contained.

(2) Any reference in the Housing Acts to a closing order or to an order for the demolition of a building shall be construed

as a reference to a closing order or an order of demolition under this Act.

48. The expression "street" shall, unless the context otherwise requires, have the same meaning in Part I. of the principal Act as it has in Part II. of that Act, and shall include any court, alley, street, square, or row of houses. Amendment of definitions in Part I. of the principal Act.

49.—(1) The words "means any inhabited building and" shall be omitted from the definition of "dwelling-house" in section twenty-nine of the principal Act. Amendment of definitions for purpose of Part II. of the principal Act.

(2) For the definition of owner in the same section the following definition shall be substituted:—

"The expression 'owner,' in addition to the definition given by the Lands Clauses Acts, includes all lessees or mortgagees of any premises required to be dealt with under this Part of this Act, except persons holding or entitled to the rents and profits of such premises under a lease the original term whereof is less than twenty-one years."

50. For the definition of cottage in section fifty-three of the principal Act the following definition shall be substituted:— Definition of cottage.

The expression "cottage" in this Part of this Act may include a garden of not more than one acre.

51. In this Part of this Act the expression "Housing Acts" means the principal Act, and any Act amending that Act, including this Act. Definition of Housing Acts.

Application of Part I. to Scotland.

52. Subject as herein-after provided, the Housing of the Working Classes Act, 1900, and the Housing of the Working Classes Act, 1903, shall as amended by this Act apply to Scotland. Extension of 63 & 64 Vict. c. 59. and 3 Edw. 7. c. 39. to Scotland.

53. In addition to the provisions of the principal Act respecting the application of that Act to Scotland, the following provisions shall have effect in the application of the Housing Acts to Scotland:— Application of Housing Acts to Scotland.

(1) The Local Government Board for Scotland (herein-after in this section referred to as the Board) shall, except as otherwise provided, be substituted for the Local Government Board, and shall also in Part III. of the principal Act as amended and in section five of the Housing of the Working Classes Act, 1900, be substituted for the county council:

(2) The Lord Advocate shall be substituted for the Attorney-General:

(3) The expression "Public Health Acts" means the Public Health (Scotland) Act, 1897, and any Act amending 60 & 61 Vict. c. 38.

the same. References to the Public Health Act, 1875, shall, unless the context otherwise requires, be construed as references to the Public Health (Scotland) Act, 1897, a reference to an order under section eighty-three of the Public Health (Scotland) Act, 1897, shall be substituted for a reference to a provisional order under section two hundred and seventy-nine of the Public Health Act, 1875, and a reference to section seventy-two of the Public Health (Scotland) Act, 1897, shall be substituted for a reference to section ninety of the Public Health Act, 1875:

(4) The reference in section fifty-seven of the principal Act to sections of the Public Health Act, 1875, relating to the purchase of lands, shall be construed as a reference to the corresponding sections of the Public Health (Scotland) Act, 1897: Provided that for the purposes of Part III. of the principal Act the procedure under section two of this Act for the compulsory purchase of land shall be substituted for the procedure for the compulsory purchase of land under section one hundred and forty-five of the Public Health (Scotland) Act, 1897:

(5) The district and the local authority for the purposes of the Public Health (Scotland) Act, 1897, shall respectively be the district and the local authority, and the public health general assessment shall be the local rate, for the purposes of the Housing Acts; provided that such local rate shall not be reckoned in any calculation as to the statutory limit of the public health general assessment; and provided further that a local authority not being a town council may, where so authorised by the Board in terms of the Housing Acts, assess and levy such local rate upon all lands and heritages within one or more of the parishes or special districts comprised in their district, to the exclusion of other parishes or special districts within the district:

(6) A local authority may, with the consent of the Board, borrow money for the purposes authorised in the Housing Acts on the security of the local rate in the same manner, and subject to the same conditions as nearly as may be, as they may borrow for the provision of permanent hospitals under the Public Health (Scotland) Act, 1897; provided that all money so borrowed shall, notwithstanding the terms of section one hundred and forty-one of the said Act, be wholly repaid together with the accruing interest within such period not exceeding eighty years from the date of the loan as the Board may determine in each case:

(7) The expressions "urban sanitary authority" and "rural sanitary authority" or "rural district council" mean respectively the local authority (for the purposes of the Public Health (Scotland) Act, 1897) of a burgh and of a district not being a burgh, and the expressions "urban district" and "rural district" shall be construed accordingly:

(8) The Acts relating to nuisances mean as respects any place the Public Health (Scotland) Act, 1897, and the Local Government (Scotland) Act, 1889, and any Act amending the same or either of them, and any local Act which contains any provisions with respect to nuisances in that place: 60 & 61 Vict. c. 38. 52 & 53 Vict. c. 50.

(9) Except so far as inconsistent with the provisions of subsection (1) of section eighty-five of the principal Act, sections seven, eight, nine, and ten of the Public Health (Scotland) Act, 1897, shall apply for the purpose of local inquiries ordered by the Board under the Housing Acts:

(10) Section one, subsection (1) of section four, and section ten of the Housing of the Working Classes Act, 1903, shall not apply. In the last-mentioned Act sections three and twelve shall apply with the substitution of the date of the passing of this Act for the date of the passing of that Act, and the Schedule shall apply with the modifications specified in the Third Schedule to this Act:

(11) Where a complaint is made to the Board—

(*a*) as respects the district of a local authority not being a town council, by the county council, or by the parish council or landward committee of any parish comprised in the district, or by any four inhabitant householders of the district; or

(*b*) as respects any other district by any four inhabitant householders of the district;

that the local authority have failed to exercise their powers under Part II. or Part III. of the principal Act in cases where those powers ought to have been exercised, the Board may cause a public local inquiry to be held, and if, after holding such an inquiry, the Board are satisfied that there has been such a failure on the part of the local authority, it shall be lawful for the Board, with the approval of the Lord Advocate, to apply by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed to do therein and to dispose of the expenses of the proceedings as to the said Division or Lord Ordinary shall appear to be just. Section ten of this Act shall not apply.

(12) Where it appears to the Board that a local authority have failed to perform their duty under the Housing Acts of carrying out an improvement scheme under Part I. of the principal Act, or have failed to make, or, if made, to give effect to, any order as respects an obstructive building, or any reconstruction scheme, under Part II. of that Act, or have failed to cause to be made the inspection of their district required by this Act, it shall be lawful for the Board to apply by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed as in the immediately preceding subsection. Section eleven of this Act shall not apply:

(13) Section twelve and section thirteen of this Act shall not apply:

(14) Sections fifteen, seventeen, eighteen, and thirty-nine of this Act shall apply with the substitution (except as regards the making of or consenting to regulations) of the sheriff for the Local Government Board and of the Court of Session for the High Court; provided that the reference to a public local inquiry shall not apply, and provided further that where an appeal is competent under any of these sections, an appeal shall not be competent under section thirty-five of the principal Act, and provided also that the power to make rules under section thirty-nine of this Act shall be exercised by the Court of Session by act of sederunt. Section one hundred and forty-six of the Public Health (Scotland) Act, 1897 (prescribing the procedure if a local authority neglect its duty), shall have effect as if the duties imposed upon a local authority by sections seventeen and eighteen of this Act were duties imposed by that Act:

60 & 61 Vict. c. 38.

(15) In the application to Scotland of section fourteen of this Act the limit of rent shall be sixteen pounds:

(16) References to special expenses shall not apply:

(17) "Overseers" means parish council, "paid into court" means "paid into bank," "as a civil debt in manner provided by the Summary Jurisdiction Acts" means in a summary manner.

PART II.

TOWN PLANNING.

Preparation and approval of town planning scheme.

54.—(1) A town planning scheme may be made in accordance with the provisions of this Part of this Act as respects any land which is in course of development or appears likely to be used for building purposes, with the general object of securing proper sanitary conditions, amenity, and convenience in connexion with

the laying out and use of the land, and of any neighbouring lands.

(2) The Local Government Board may authorise a local authority within the meaning of this Part of this Act to prepare such a town planning scheme with reference to any land within or in the neighbourhood of their area, if the authority satisfy the Board that there is a primâ facie case for making such a scheme, or may authorise a local authority to adopt, with or without any modifications, any such scheme proposed by all or any of the owners of any land with respect to which the local authority might themselves have been authorised to prepare a scheme.

(3) Where it is made to appear to the Local Government Board that a piece of land already built upon, or a piece of land not likely to be used for building purposes, is so situated with respect to any land likely to be used for building purposes that it ought to be included in any town planning scheme made with respect to the last-mentioned land, the Board may authorise the preparation or adoption of a scheme including such piece of land as aforesaid, and providing for the demolition or alteration of any buildings thereon so far as may be necessary for carrying the scheme into effect.

(4) A town planning scheme prepared or adopted by a local authority shall not have effect, unless it is approved by order of the Local Government Board, and the Board may refuse to approve any scheme except with such modifications and subject to such conditions as they think fit to impose:

Provided that, before a town planning scheme is approved by the Local Government Board, notice of their intention to do so shall be published in the London or Edinburgh Gazette, as the case may be, and, if within twenty-one days from the date of such publication any person or authority interested objects in the prescribed manner, the draft of the order shall be laid before each House of Parliament for a period of not less than thirty days during the session of Parliament, and, if either of those Houses before the expiration of those thirty days presents an address to His Majesty against the draft, or any part thereof, no further proceedings shall be taken thereon, without prejudice to the making of any new draft scheme.

(5) A town planning scheme, when approved by the Local Government Board, shall have effect as if it were enacted in this Act.

(6) A town planning scheme may be varied or revoked by a subsequent scheme prepared or adopted and approved in accordance with this Part of this Act, and the Local Government Board, on the application of the responsible authority, or of any other person appearing to them to be interested, may by order revoke a town planning scheme if they think that under the special circumstances of the case the scheme should be so revoked.

(7) The expression "land likely to be used for building purposes" shall include any land likely to be used as, or for the purpose of providing, open spaces, roads, streets, parks, pleasure or recreation grounds, or for the purpose of executing any work upon or under the land incidental to a town planning scheme, whether in the nature of a building work or not, and the decision of the Local Government Board, whether land is likely to be used for building purposes or not, shall be final.

Contents of town planning schemes.

55.—(1) The Local Government Board may prescribe a set of general provisions (or separate sets of general provisions adapted for areas of any special character) for carrying out the general objects of town planning schemes, and in particular for dealing with the matters set out in the Fourth Schedule to this Act, and the general provisions, or set of general provisions appropriate to the area for which a town planning scheme is made, shall take effect as part of every scheme, except so far as provision is made by the scheme as approved by the Board for the variation or exclusion of any of those provisions.

(2) Special provisions shall in addition be inserted in every town planning scheme defining in such manner as may be prescribed by regulations under this Part of this Act the area to which the scheme is to apply, and the authority who are to be responsible for enforcing the observance of the scheme, and for the execution of any works which under the scheme or this Part of this Act are to be executed by a local authority (in this Part of this Act referred to as the responsible authority), and providing for any matters which may be dealt with by general provisions, and otherwise supplementing, excluding, or varying the general provisions, and also for dealing with any special circumstances or contingencies for which adequate provision is not made by the general provisions, and for suspending, so far as necessary for the proper carrying out of the scheme, any statutory enactments, byelaws, regulations, or other provisions, under whatever authority made, which are in operation in the area included in the scheme:

Provided that, where the scheme contains provisions suspending any enactment contained in a public general Act, the scheme shall not come into force unless a draft thereof has been laid before each House of Parliament for a period of not less than forty-days during the session of Parliament, and, if either of those Houses before the expiration of those forty days presents an Address to His Majesty against the proposed suspension no further proceedings shall be taken on the draft, without prejudice to the making of any new scheme.

(3) Where land included in a town planning scheme is in the area of more than one local authority, or is in the area of a local authority by whom the scheme was not prepared, the responsible authority may be one of those local authorities, or for certain purposes of the scheme one local authority and for certain purposes another local authority, or a joint body constituted specially for the purpose by the scheme, and all necessary

provisions may be made by the scheme for constituting the joint body and giving them the necessary powers and duties:

Provided that, except with the consent of the London County Council, no other local authority shall, as respects any land in the county of London, prepare or be responsible for enforcing the observance of a town planning scheme under this Part of this Act, or for the execution of any works which under the scheme or this Part of this Act are to be executed by a local authority.

Procedure regulations of the Local Government Board.

56.—(1) The Local Government Board may make regulations for regulating generally the procedure to be adopted with respect to applications for authority to prepare or adopt a town planning scheme, the preparation of the scheme, obtaining the approval of the Board to a scheme so prepared or adopted, and any inquiries, reports, notices, or other matters required in connection with the preparation or adoption or the approval of the scheme or preliminary thereto, or in relation to the carrying out of the scheme or enforcing the observance of the provisions thereof.

(2) Provision shall be made by those regulations—

(*a*) for securing co-operation on the part of the local authority with the owners and other persons interested in the land proposed to be included in the scheme at every stage of the proceedings, by means of conferences and such other means as may be provided by the regulations;

(*b*) for securing that notice of the proposal to prepare or adopt the scheme should be given at the earliest stage possible to any council interested in the land; and

(*c*) for dealing with the other matters mentioned in the Fifth Schedule to this Act.

Power to enforce scheme.

57.—(1) The responsible authority may at any time, after giving such notice as may be provided by a town planning scheme and in accordance with the provisions of the scheme—

(*a*) remove, pull down, or alter any building or other work in the area included in the scheme which is such as to contravene the scheme, or in the erection or carrying out of which any provision of the scheme has not been complied with; or

(*b*) execute any work which it is the duty of any person to execute under the scheme in any case where it appears to the authority that delay in the execution of the work would prejudice the efficient operation of the scheme.

(2) Any expenses incurred by a responsible authority under this section may be recovered from the persons in default in such manner and subject to such conditions as may be provided by the scheme.

(3) If any question arises whether any building or work contravenes a town planning scheme, or whether any provision of a town planning scheme is not complied with in the erection or carrying out of any such building or work, that question shall be referred to the Local Government Board, and shall, unless the parties otherwise agree, be determined by the Board as arbitrators, and the decision of the Board shall be final and conclusive and binding on all persons.

Compensation in respect of property injuriously affected by scheme, &c.

58.—(1) Any person whose property is injuriously affected by the making of a town planning scheme shall, if he makes a claim for the purpose within the time (if any) limited by the scheme, not being less than three months after the date when notice of the approval of the scheme is published in the manner prescribed by regulations made by the Local Government Board, be entitled to obtain compensation in respect thereof from the responsible authority.

(2) A person shall not be entitled to obtain compensation under this section on account of any building erected on, or contract made or other thing done with respect to, land included in a scheme, after the time at which the application for authority to prepare the scheme was made, or after such other time as the Local Government Board may fix for the purpose:

Provided that this provision shall not apply as respects any work done before the date of the approval of the scheme for the purpose of finishing a building begun or of carrying out a contract entered into before the application was made.

(3) Where, by the making of any town planning scheme, any property is increased in value, the responsible authority, if they make a claim for the purpose within the time (if any) limited by the scheme (not being less than three months after the date when notice of the approval of the scheme is first published in the manner prescribed by regulations made by the Local Government Board), shall be entitled to recover from any person whose property is so increased in value one-half of the amount of that increase.

(4) Any question as to whether any property is injuriously affected or increased in value within the meaning of this section, and as to the amount and manner of payment (whether by instalments or otherwise) of the sum which is to be paid as compensation under this section or which the responsible authority are entitled to recover from a person whose property is increased in value, shall be determined by the arbitration of a single arbitrator appointed by the Local Government Board, unless the parties agree on some other method of determination.

(5) Any amount due under this section as compensation to a person aggrieved from a responsible authority, or to a responsible authority from a person whose property is increased in value, may be recovered summarily as a civil debt.

(6) Where a town planning scheme is revoked by an order of the Local Government Board under this Act, any person who

has incurred expenditure for the purpose of complying with the scheme shall be entitled to compensation in accordance with this section in so far as any such expenditure is rendered abortive by reason of the revocation of the scheme.

Exclusion or limitation of compensation in certain cases.

59.—(1) Where property is alleged to be injuriously affected by reason of any provisions contained in a town planning scheme, no compensation shall be paid in respect thereof if or so far as the provisions are such as would have been enforceable if they had been contained in byelaws made by the local authority.

(2) Property shall not be deemed to be injuriously affected by reason of the making of any provisions inserted in a town planning scheme, which, with a view to securing the amenity of the area included in the scheme or any part thereof, prescribe the space about buildings or limit the number of buildings to be erected, or prescribe the height or character of buildings, and which the Local Government Board, having regard to the nature and situation of the land affected by the provisions, consider reasonable for the purpose.

(3) Where a person is entitled to compensation under this Part of this Act in respect of any matter or thing, and he would be entitled to compensation in respect of the same matter or thing under any other enactment, he shall not be entitled to compensation in respect of that matter or thing both under this Act and under that other enactment, and shall not be entitled to any greater compensation under this Act than he would be entitled to under the other enactment.

Acquisition by local authorities of land comprised in a scheme.

60.—(1) The responsible authority may, for the purpose of a town planning scheme, purchase any land comprised in such scheme by agreement, or be authorised to purchase any such land compulsorily in the same manner and subject to the same provisions (including any provision authorising the Local Government Board to give directions as to the payment and application of any purchase money or compensation) as a local authority may purchase or be authorised to purchase land situate in an urban district for the purposes of Part III. of the Housing of the Working Classes Act, 1890, as amended by sections two and forty-five of this Act.

(2) Where land included within the area of a local authority is comprised in a town planning scheme, and the local authority are not the responsible authority, the local authority may purchase or be authorised to purchase that land in the same manner as the responsible authority.

Powers of Local Government Board in case of default of local authority to make or execute town planning scheme.

61.—(1) If the Local Government Board are satisfied on any representation, after holding a public local inquiry, that a local authority—

(*a*) have failed to take the requisite steps for having a satisfactory town planning scheme prepared and approved in a case where a town planning scheme ought to be made; or

(*b*) have failed to adopt any scheme proposed by owners of any land in a case where the scheme ought to be adopted; or

(*c*) have unreasonably refused to consent to any modifications or conditions imposed by the Board;

the Board may, as the case requires, order the local authority to prepare and submit for the approval of the Board such a town planning scheme, or to adopt the scheme, or to consent to the modifications or conditions so inserted:

Provided that, where the representation is that a local authority have failed to adopt a scheme, the Local Government Board, in lieu of making such an order as aforesaid, may approve the proposed scheme, subject to such modifications or conditions, if any, as the Board think fit, and thereupon the scheme shall have effect as if it had been adopted by the local authority and approved by the Board.

(2) If the Local Government Board are satisfied on any representation, after holding a local inquiry, that a responsible authority have failed to enforce effectively the observance of a scheme which has been confirmed, or any provisions thereof, or to execute any works which under the scheme or this Part of this Act the authority is required to execute, the Board may order that authority to do all things necessary for enforcing the observance of the scheme or any provisions thereof effectively, or for executing any works which under the scheme or this Part of this Act the authority is required to execute.

(3) Any order under this section may be enforced by mandamus.

Determination of matters by Local Government Board.

62. Where the Local Government Board are authorised by this Part of this Act or any scheme made thereunder to determine any matter, it shall, except as otherwise expressly provided by this Part of this Act, be at their option to determine the matter as arbitrators or otherwise, and, if they elect or are required to determine the matter as arbitrators, the provisions of the Regulation of Railways Act, 1868, respecting arbitrations by the Board of Trade, and the enactments amending those provisions, shall apply as if they were herein re-enacted and in terms made applicable to the Local Government Board and the determination of the matters aforesaid.

31 & 32 Vict. c. 119.

Inquiries by Local Government Board.

63. Section eighty-five of the Housing of the Working Classes Act, 1890 (which relates to inquiries by the Local Government Board), as amended by this Act, shall apply for any purposes of this Part of this Act as it applies for the purpose of the execution of the powers and duties of the Local Government Board under that Act.

Laying general provisions before Parliament.

64. All general provisions made under this Part of this Act shall be laid as soon as may be before Parliament, and the

Rules Publication Act, 1893, shall apply to such provisions as if they were statutory rules within the meaning of section one of that Act. 56 & 57 Vict. c. 66.

65.—(1) For the purposes of this Part of this Act the expression "local authority" means the council of any borough or urban or rural district. Definition of local authority, and expenses.

(2) Any expenses incurred by a local authority under this Part of this Act, or any scheme made thereunder, shall be defrayed as expenses of the authority under the Public Health Acts, and the authority may borrow, for the purposes of this Part of this Act, or any scheme made thereunder, in the same manner and subject to the same provisions as they may borrow for the purposes of the Public Health Acts.

(3) Money borrowed for the purposes of this Part of this Act, or any scheme made thereunder, shall not be reckoned as part of the debt of a borough or urban district for the purposes of the limitation on borrowing under subsections (2) and (3) of section two hundred and thirty-four of the Public Health Act, 1875.

66.—(1) This Part of this Act shall apply to the administrative county of London, and, as respects that county, the London County Council shall be the local authority. Application to London.

(2) Any expenses incurred by the London County Council shall be defrayed out of the general county rate and any money may be borrowed by the Council in the same manner as money may be borrowed for general county purposes.

67. This Part of this Act shall apply to Scotland subject to the following modifications :— Application of Part II. to Scotland.

(1) The Local Government Board for Scotland (herein-after referred to as the Board) shall be substituted for the Local Government Board, and shall for the purposes of this Part of this Act have the same powers of local inquiry as for the purposes of the Housing Acts as defined in Part I. of this Act.

(2) Subsection (1) and subsection (3) of the section of this Part of this Act which relates to the definition of local authority and expenses shall not apply.

(3) The local authority and the area of such authority for the purposes of this Part of this Act shall respectively be the local authority for the purposes of the Housing Acts as defined in Part I. of this Act, and the district of that authority.

(4) References to the Public Health Acts shall be construed as references to the Housing Acts as defined in Part I. of this Act.

(5) Any local rate for the purposes of this Part of this Act (including the purposes of any loan) shall not be reckoned in any calculation as to the statutory limit of the public health general assessment.

(6) The Board shall not themselves make an order under section sixty-one of this Act on any authority, but in lieu thereof it shall be lawful for the Board, after holding a local inquiry at which the authority shall have had an opportunity of being heard, and with the approval of the Lord Advocate, to apply for such an order by summary petition to either Division of the Court of Session, or during vacation or recess to the Lord Ordinary on the Bills, which Division or Lord Ordinary are hereby authorised and directed to do therein and to dispose of the expenses of the proceedings as to the said Division or Lord Ordinary shall appear to be just.

(7) In any proceedings under this Part of this Act the Board shall have regard to the powers and jurisdiction of the dean of guild court in burghs.

(8) The provision respecting the Rules Publication Act, 1893, shall have effect as if section one of that Act applied to Scotland, with the substitution of the "Edinburgh Gazette" for the "London Gazette."

PART III.

COUNTY MEDICAL OFFICERS, COUNTY PUBLIC HEALTH AND HOUSING COMMITTEE, &c.

Appointment, duties, and tenure of office of county medical officers. 51 & 52 Vict. c. 41.

68.—(1) Every county council shall appoint a medical officer of health under section seventeen of the Local Government Act, 1888.

(2) The duties of a medical officer of health of a county shall be such duties as may be prescribed by general order of the Local Government Board and such other duties as may be assigned to him by the county council.

(3) The power of county councils and district councils under the said section to make arrangements with respect to medical officers of health shall cease, without prejudice to any arrangement made previously to the date of the passing of this Act.

(4) The medical officer of health of a county shall, for the purposes of his duties, have the same powers of entry on premises as are conferred on a medical officer of health of a district by or under any enactment.

(5) A medical officer of health of a county shall be removable by the county council with the consent of the Local Government Board and not otherwise.

(6) A medical officer of health of a county shall not be appointed for a limited period only:

Provided that the county council may, with the sanction of the Local Government Board, make any temporary arrangement for the performance of all or any of the duties of the medical officer of health of the county, and any person appointed by virtue of any such arrangement to perform those duties or any

of them shall, subject to the terms of his appointment, have all the powers, duties, and liabilities of the medical officer of health of the county.

(7) A medical officer of health appointed after the passing of this Act under the said section as amended by this section shall not engage in private practice, and shall not hold any other public appointment without the express written consent of the Local Government Board.

(8) An order under this section prescribing the duties of medical officers of health of a county shall be communicated to the county council and shall be laid before Parliament as soon as may be after it is made, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after the order is laid before it praying that the order may be annulled, His Majesty in Council may annul the order and it shall thenceforward be void, but without prejudice to the validity of anything previously done thereunder.

Duty of clerk and medical officer of health of district council to furnish information to medical officer of health of county council.

69.—(1) The clerk of a rural district council shall forward to the medical officer of health of the county a copy of any representation, complaint, or information, a copy of which it is the duty of the district council to forward to the county council under section forty-five of the Housing of the Working Classes Act, 1890 (which relates to the powers of county councils).

(2) The medical officer of health of a district shall give to the medical officer of health of the county any information which it is in his power to give, and which the medical officer of health of the county may reasonably require from him for the purpose of his duties prescribed by the Local Government Board.

(3) If any dispute or difference shall arise between the clerk or the medical officer of health of a district council and the medical officer of health of a county council under this section, the same shall be referred to the Local Government Board, whose decision shall be final and binding.

(4) If the clerk or medical officer of health of a district council fails to comply with the provisions of this section, he shall on information being laid by the county council, but not otherwise, be liable on summary conviction in respect of each offence to a fine not exceeding ten pounds.

Extent of Part III.

70. The foregoing provisions of this Part of this Act shall not apply to Scotland or, except subsection (4) of section sixty-eight, to the administrative county of London, and, in the application of the said subsection to London, the reference to a medical officer of health of a district shall be construed as a reference to the medical officer of health of a metropolitan borough.

Public health and housing committee of county councils.

71.—(1) Every county council shall establish a public health and housing committee, and all matters relating to the exercise and performance by the council of their powers and duties as

respects public health and the housing of the working classes (except the power of raising a rate or borrowing money) shall stand referred to the public health and housing committee, and the council, before exercising any such powers, shall, unless in their opinion the matter is urgent, receive and consider the report of the public health and housing committee with respect to the matter in question, and the council may also delegate to the public health and housing committee, with or without restrictions or conditions as they think fit, any of their powers as respects public health and the housing of the working classes, except the power of raising a rate or borrowing money and except any power of resolving that the powers of a district council in default should be transferred to the council.

(2) This section shall not apply to Scotland or the London County Council.

Formation and extension of building societies.

72.—(1) The county council may promote the formation or extension of and may, subject to the provisions of this section, assist societies on a co-operative basis, having for their object or one of their objects the erection or improvement of dwellings for the working classes.

(2) The county council, with the consent of and subject to the regulations made by the Local Government Board, may for the purpose of assisting a society make grants or advances to the society, or guarantee advances made to the society, upon such terms and conditions as to rate of interest and repayment, or otherwise, and on such security, as the council think fit, and the making of such grants or advances shall be a purpose for which a council may borrow:

Provided that the regulations of the Board shall provide that any such advance made on the security of any property shall not exceed two-thirds of the value of that property.

PART IV.

SUPPLEMENTAL

Provisions as to commons and open spaces.

73.—(1) Where any scheme or order under the Housing Acts or Part II. of this Act authorises the acquisition or appropriation to any other purpose of any land forming part of any common, open space, or allotment, the scheme or order, so far as it relates to the acquisition or appropriation of such land, shall be provisional only, and shall not have effect unless and until it is confirmed by Parliament, except where the scheme or order provides for giving in exchange for such land other land, not being less in area, certified by the Local Government Board after consultation with the Board of Agriculture and Fisheries to be equally advantageous to the persons, if any, entitled to commonable or other rights and to the public.

(2) Before giving any such certificate the Board shall give public notice of the proposed exchange, and shall afford opportunities to all persons interested to make representations and

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objections in relation thereto, and shall, if necessary, hold a local inquiry on the subject.

(3) Where any such scheme or order authorises such an exchange, the scheme or order shall provide for vesting the land given in exchange in the persons in whom the common or open space was vested, subject to the same rights, trusts, and incidents as attached to the common or open space, and for discharging the part of the common, open space, or allotment acquired or appropriated from all rights, trusts, and incidents to which it was previously subject.

(4) For the purposes of this Act the expression "common" shall include any land subject to be enclosed under the Inclosure Acts, 1845 to 1882, and any town or village green; the expression "open space" means any land laid out as a public garden or used for the purposes of public recreation, and any disused burial ground; and the expression "allotment" means any allotment set out as a fuel allotment or a field garden allotment under an Inclosure Act.

Provisions as to land in neighbourhood of royal palaces or parks.

74.—(1) Where any land proposed to be included in any scheme or order to be made under the Housing Acts or Part II. of this Act, or any land proposed to be acquired under the Housing Acts or Part II. of this Act, is situate within the prescribed distance from any of the royal palaces or parks, the local authority shall, before preparing the scheme or order or acquiring the land, communicate with the Commissioners of Works, and the Local Government Board shall, before confirming the scheme or order or authorising the acquisition of the land or the raising of any loan for the purpose, take into consideration any recommendations they may have received from the Commissioners of Works with reference to the proposal.

(2) For the purposes of this section "prescribed" means prescribed by regulations made by the Local Government Board after consultation with the Commissioners of Works.

Repeal.

75. The enactments mentioned in the Sixth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Short title and extent.

76.—(1) This Act may be cited as the Housing, Town Planning, &c. Act, 1909, and Part I. of this Act shall be construed as one with the Housing of the Working Classes Acts, 1890 to 1903, and that Part of this Act and those Acts may be cited together as the Housing of the Working Classes Acts, 1890 to 1909.

(2) This Act shall not extend to Ireland.

SCHEDULES.

Section 2.

FIRST SCHEDULE.

PROVISIONS AS TO THE COMPULSORY ACQUISITION OF LAND BY A LOCAL AUTHORITY FOR THE PURPOSES OF PART III. OF THE HOUSING OF THE WORKING CLASSES ACT, 1890.

(1) Where a local authority propose to purchase land compulsorily under this Act, the local authority may submit to the Board an order putting in force as respects the land specified in the order the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

(2) An order under this schedule shall be of no force unless and until it is confirmed by the Board, and the Board may confirm the order either without modification or subject to such modifications as they think fit, and an order when so confirmed shall, save as otherwise expressly provided by this Schedule, become final and have effect as if enacted in this Act; and the confirmation by the Board shall be conclusive evidence that the requirements of this Act have been complied with, and that the order has been duly made and is within the powers of this Act.

(3) In determining the amount of any disputed compensation under any such order, no additional allowance shall be made on account of the purchase being compulsory.

(4) The order shall be in the prescribed form, and shall contain such provisions as the Board may prescribe for the purpose of carrying the order into effect, and of protecting the local authority and the persons interested in the land, and shall incorporate, subject to the necessary adaptations, the Lands Clauses Acts (except section one hundred and twenty-seven of the Lands Clauses Consolidation Act, 1845) and sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, but subject to this modification, that any question of disputed compensation shall be determined by a single arbitrator appointed by the Board, who shall be deemed to be an arbitrator within the meaning of the Lands Clauses Acts, and the provisions of those Acts with respect to arbitration shall, subject to the provisions of this schedule, apply accordingly.

8 & 9 Vict. c. 18.
8 & 9 Vict. c. 20.

(5) The order shall be published by the local authority in the prescribed manner, and such notice shall be given both in the locality in which the land is proposed to be acquired, and to the owners, lessees, and occupiers of that land as may be prescribed.

(6) If within the prescribed period no objection to the order has been presented to the Board by a person interested in the land, or if every such objection has been withdrawn, the Board shall, without further inquiry, confirm the order, but, if such an objection has been presented and has not been withdrawn, the Board shall forthwith cause a public inquiry to be held in the locality in which the land is proposed to be acquired, and the local authority and all persons interested in the land and such other persons as the person holding the inquiry in his discretion thinks fit to allow shall be permitted to appear and be heard at the inquiry.

(7) Where the land proposed to be acquired under the order consists of or comprises land situate in London, or a borough, or urban district, the Board shall appoint an impartial person, not in the employment of any Government Department, to hold the inquiry as to whether the land proposed to be acquired is suitable for the purposes for which it is sought to be acquired, and whether, having regard to the extent or situation of the land and the purposes for which it is used, the land can be acquired without undue detriment to the persons interested therein or the owners of adjoining land, and such person shall in England have for the purpose of the inquiry all the powers of an inspector of the Local Government Board, and, if he reports that the land, or any part thereof, is not suitable for the purposes for which it is sought to be acquired, or that owing to its extent or situation or the purpose for which it is used it cannot be acquired without such detriment as aforesaid, or that it ought not to be acquired except subject to the conditions specified in his report, then, if the Local Government Board confirm the order in respect of that land, or part thereof, or, as the case may require, confirm it otherwise than subject to such modifications as are required to give effect to the specified conditions, the order shall be provisional only, and shall not have effect unless confirmed by Parliament.

Where no part of the land is so situated as aforesaid, before confirming the order, the Board shall consider the report of the person who held the inquiry, and all objections made thereat.

(8) The arbitrator shall, so far as practicable, in assessing compensation act on his own knowledge and experience, but, subject as aforesaid, at any inquiry or arbitration held under this schedule the person holding the inquiry or arbitration shall hear, by themselves or their agents, any authorities or parties authorised to appear, and shall hear witnesses, but shall not, except in such cases as the Board otherwise direct, hear counsel or expert witnesses.

(9) The Board may, with the concurrence of the Lord Chancellor, make rules fixing a scale of costs to be applicable on an arbitration under this schedule, and an arbitrator under this schedule may, notwithstanding anything in the Lands Clauses Acts, determine the amount of costs, and shall have power to disallow as costs in the arbitration the costs of any witness whom he considers to have been called unnecessarily and any other costs which he considers to have been caused or incurred unnecessarily.

(10) The remuneration of an arbitrator appointed under this schedule shall be fixed by the Board.

(11) In construing for the purposes of this schedule or any order made thereunder, any enactment incorporated with the order, this Act together with the order shall be deemed to be the special Act, and the local authority shall be deemed to be the promoters of the undertaking.

(12) Where the land is glebe land or other land belonging to an ecclesiastical benefice, the order shall provide that sums agreed upon or awarded for the purchase of the land, or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or other injury affecting the land, shall not be paid as directed by the Lands Clauses Acts, but shall be paid to the Ecclesiastical Commissioners to be applied by them as money paid to them upon a sale, under the provisions of the Ecclesiastical Leasing Acts, of land belonging to a benefice.

(13) In this schedule the expression "Board" means the Local Government Board, and the expression "prescribed" means prescribed by the Board.

(14) The provisions of this schedule, except those relating to land belonging to an ecclesiastical benefice, shall apply to Scotland, subject to the following modifications :—

(*a*) for the reference to section one hundred and twenty-seven of the Lands Clauses Consolidation Act, 1845, there shall be substituted a reference to section one hundred and twenty of the Lands Clauses Consolidation (Scotland) Act, 1845, and for the reference to sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, there shall be substituted a reference to sections seventy to seventy-eight of the Railways Clauses Consolidation (Scotland) Act, 1845 ;

8 & 9 Vict. c. 19.

8 & 9 Vict c. 33.

(*b*) for references to an arbitrator there shall be substituted references to an arbiter ;

(*c*) for the references to the Lord Chancellor there shall be substituted a reference to the Lord Advocate ;

(*d*) for the reference to the Local Government Board there shall be substituted a reference to the Local Government Board for Scotland, and for the reference to a borough or urban district there shall be substituted a reference to a burgh.

Section 46.

SECOND SCHEDULE.

MINOR AMENDMENTS OF HOUSING ACTS.

Enactment to be amended.	Nature of Amendment.
Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70).	
Section 23 - -	After the word "displaced" the words "in consequence of" shall be substituted for the word "by."
Section 34 - -	The words "the order becomes operative" shall be substituted for the words "service of the order."
Section 35 - -	The words "if he is not entitled to appeal to the Local Government Board against the order" shall be inserted after the word "may" where it first occurs.
Section 38 (1) (*a*) -	The words "or impedes" shall be inserted after the word "stops."
Section 38 (7) - -	The words "house or other building or manufactory" shall be substituted for the words "house or manufactory" wherever they occur in that subsection.

Enactment to be amended.	Nature of Amendment.
Section 39 (8) - -	The words "as amended by any subsequent Act" shall be inserted after the word "Act" where it first occurs, and the words "to the power of "the Local Government Board to enforce that "duty" shall be inserted after the word "execution."
Section 40 - -	After the word "displaced" the words "in consequence of" shall be substituted for the word "by."
Section 85 - -	The words "powers and" shall be inserted before the word "duties."
Section 88 - -	The words "or Part III." shall be inserted after the words "Part II."
Section 89 - -	After the word "Act" where it first occurs the words "or any person authorised to enter "dwelling-houses, premises, or buildings in pursuance of this Act" shall be inserted; the words "authority or person" shall be substituted for the words "or authority," and the word "he" shall be substituted for the words "such person."

THIRD SCHEDULE.

Section 53.

Modifications of the Schedule to the Housing of the Working Classes Act, 1903, in its Application to Scotland.

In the above-mentioned schedule, as applying to Scotland, the expression "district within the meaning of the Public Health (Scotland) Act, 1897," shall be substituted for the expressions "borough," "urban district," and "parish" respectively; "Local Government Board for Scotland" shall be substituted for "Local Government Board"; "every "such appropriation of lands shall be recorded as a real burden affecting "such lands in the appropriate register of sasines" shall be substituted for "every conveyance, demise, or lease of any such lands shall be "endorsed with notice of this provision"; "subsections one and three "(with the substitution of the Local Government Board for Scotland for "the Secretary for Scotland) of section ninety-three of the Local Govern-"ment (Scotland) Act, 1889," shall be substituted for "subsections one "and five of section eighty-seven of the Local Government Act, 1888"; "Court of Session" shall be substituted for "High Court"; "order of "the Court of Session on the application of the Board" shall be substituted for "mandamus"; and "local authority for the purposes of the "Public Health (Scotland) Act, 1897, in whose district" shall be substituted for "council of any administrative county and the district "council of any county district; or in London the council of any metropolitan borough, in which."

Section 55

FOURTH SCHEDULE.

MATTERS TO BE DEALT WITH BY GENERAL PROVISIONS PRESCRIBED BY THE LOCAL GOVERNMENT BOARD.

1. Streets, roads, and other ways, and stopping up, or diversion of existing highways.
2. Buildings, structures, and erections.
3. Open spaces, private and public.
4. The preservation of objects of historical interest or natural beauty.
5. Sewerage, drainage, and sewage disposal.
6. Lighting.
7. Water supply.
8. Ancillary or consequential works.
9. Extinction or variation of private rights of way and other easements.
10. Dealing with or disposal of land acquired by the responsible authority or by a local authority.
11. Power of entry and inspection.
12. Power of the responsible authority to remove, alter, or demolish any obstructive work.
13. Power of the responsible authority to make agreements with owners, and of owners to make agreements with one another.
14. Power of the responsible authority or a local authority to accept any money or property for the furtherance of the object of any town planning scheme, and provision for regulating the administration of any such money or property and for the exemption of any assurance with respect to money or property so accepted from enrolment under the Mortmain and Charitable Uses Act, 1888.

51 & 52 Vict c. 42.

15. Application with the necessary modifications and adaptations of statutory enactments.
16. Carrying out and supplementing the provisions of this Act for enforcing schemes.
17. Limitation of time for operation of scheme.
18. Co-operation of the responsible authority with the owners of land included in the scheme or other persons interested by means of conferences, &c.
19. Charging on the inheritance of any land the value of which is increased by the operation of a town-planning scheme the sum required to be paid in respect of that increase, and for that purpose applying, with the necessary adaptations, the provisions of any enactments dealing with charges for improvements of land.

Section 56.

FIFTH SCHEDULE.

1. Procedure anterior to and for the purpose of an application for authority to prepare or adopt a scheme :—

(*a*) Submission of plans and estimates.
(*b*) Publication of notices.

2. Procedure during, on, and after the preparation or adoption and before the approval of the scheme :—

(*a*) Submission to the Local Government Board of the proposed scheme, with plans and estimates.

(*b*) Notice of submission of proposed scheme to the Local Government Board.

(*c*) Hearing of objections and representations by persons affected, including persons representing architectural or archæological societies or otherwise interested in the amenity of the proposed scheme.

(*d*) Publication of notice of intention to approve scheme and the lodging of objections thereto.

3. Procedure after the approval of the scheme :—

(*a*) Notice to be given of approval of scheme.

(*b*) Inquiries and reports as to the beginning and the progress and completion of works, and other action under the scheme.

4. Duty, at any stage, of the local authority to publish or deposit for inspection any scheme or proposed scheme, and the plans relating thereto, and to give information to persons affected with reference to any such scheme or proposed scheme.

5. The details to be specified in plans, including, wherever the circumstances so require, the restrictions on the number of buildings which may be erected on each acre, and the height and character of those buildings.

SIXTH SCHEDULE.

Section 75.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
51 & 52 Vict. c. 41.	The Local Government Act, 1888.	Section seventeen, from "who shall not hold" to end of the section.
53 & 54 Vict. c. 70.	The Housing of the Working Classes Act, 1890.	The words "for sanitary purposes" in paragraph (*a*) of subsection (1) of section six. Subsection (6) of section eight, and section nine. Subsection (5) of section twelve. Subsection (2) of section fifteen, including the proviso thereto. Sections seventeen, eighteen, and nineteen. In section twenty-five, the words at the end of the section "such "loan shall be repaid within "such period, not exceeding "fifty years, as may be recommended by the confirming "authority." Sections twenty-seven and twenty-eight.

Session and Chapter.	Short Title.	Extent of Repeal
53 & 54 Vict. c. 70	The Housing of the Working Classes Act, 1890—*cont.*	In section twenty-nine, the words "means any inhabited building and" in the definition of "dwelling-house."
		Sections thirty-two and thirty-three.
		In section thirty-nine, the words "by agreement" in subsection (4) where those words first occur, and all after the word "sanctioned" to the end of that subsection; subsections (5) and (6); the words "to costs to be awarded in certain cases by a Committee of either House of Parliament" in subsection (8); and subsection (9) from "Provided that" to the end.
		In subsection (3) of section forty-seven, the words "the time allowed under any order for the execution of any works or the demolition of a building, or".
		In section fifty-three, subsection (2).
		Section fifty-four, so far as unrepealed.
		Section fifty-five, so far as it applies to Scotland.
		Section sixty-three.
		Section sixty-five, from "and (iii)" to the end of the section
		In section sixty-six, the words "or special."
		Section seventy-seven
		Section eighty-three.
		In section eighty-five, the words "not exceeding three guineas a day,"
		Section ninety-two, from "but in" to the end of the section.
		Subsection (3) except paragraph (*c*), and subsection (4) of section ninety-four.
		Subsections (1), (2), (7), (8), and (14) of section 96.
		In subsection (3) of section ninety-seven the words "the time allowed under any order for the execution of any works or the demolition of a building or".
		The First Schedule, so far as it applies to Scotland.
		The Third, Fourth, and Fifth Schedules

Session and Chapter.	Short Title.	Extent of Repeal.
59 & 60 Vict. c. 31.	The Housing of the Working Classes Act, 1890, Amendment (Scotland) Act, 1896.	Section three.
63 & 64 Vict. c. 59.	The Housing of the Working Classes Act, 1900.	Sections two, six, and seven. In section eight the words "Scotland or".
3 Edw. 7. c. 39.	The Housing of the Working Classes Act, 1903.	Paragraphs (*a*) and (*b*) of subsection (2) of section five, sections six and eight, in section ten the words "in the manner provided by subsection three of section thirty-two of the principal Act," and section sixteen. In section seventeen the words "Scotland or".

CHAPTER 45.

An Act to amend the Law with respect to Customs in the Isle of Man. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of additional duties on tea, tobacco, spirits, ale, and beer. 6 Edw. 7. c. 18. 63 & 64 Vict. c. 31.

1. The additional duty of Customs on tea removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1906, and the additional duties of Customs on tobacco and spirits removed or imported into the Isle of Man imposed by section one of the Isle of Man (Customs) Act, 1900, and the additional duty on ale and beer removed or imported into the Isle of Man imposed by the second paragraph of section two of that Act, shall continue to be charged, levied, and paid as from the first day of August nineteen hundred and nine until the first day of August nineteen hundred and ten.

Additional duties on spirits and tobacco.

2.—(1) In addition to the duties of Customs now payable on spirits and tobacco removed or imported into the Isle of Man, there shall be levied the following duties:—

		s.	*d.*
Spirits, namely:—			
Spirits of any kind (except perfumed spirits) computed at hydrometer proof -	the gallon	3	9
Liqueurs, cordials, or mixed or sweetened spirits in bottle, entered in such a manner as to indicate that the strength is not to be tested - - - - -	the gallon	5	1
Perfumed spirits - - -	the gallon	6	0

		s.	*d.*
Tobacco, manufactured :—			
Cigars	the lb.	1	0
Cigarettes	the lb.	0	10
Cavendish or Negrohead	the lb.	1	0
Cavendish or Negrohead, manufactured in bond	the lb.	0	10
Other manufactured tobacco	the lb.	0	10
Snuff containing more than 13 lbs. of moisture in every 100 lbs. weight thereof	the lb.	0	10
Snuff not containing more than 13 lbs. of moisture in every 100 lbs. weight thereof	the lb.	1	0
Tobacco, unmanufactured :—			
Containing 10 lbs. or more of moisture in every 100 lbs. weight thereof :—			
Unstripped	the lb.	0	8
Stripped	the lb.	0	8½
Containing less than 10 lbs. of moisture in every 100 lbs. weight thereof :—			
Unstripped	the lb.	0	9
Stripped	the lb.	0	9½

(2) The said duties on spirits and manufactured tobacco shall be leviable as from the thirtieth day of April nineteen hundred and nine, and the said duties on unmanufactured tobacco shall be leviable as from the twenty-sixth day of May nineteen hundred and nine.

(3) In this section the expression "stripped tobacco" means any leaf tobacco of which the leaf is not complete by reason of the removal of the stalk or midrib or of some portion thereof, but tobacco shall not be deemed to be stripped tobacco solely by reason of its having been subjected to such process of butting as the Commissioners of Customs and Excise allow.

Bank holidays to be kept as holidays in Customs and Excise offices.

3. Every day which, under the law for the time being in force, is a bank holiday in the Isle of Man shall be kept as a public holiday in all Customs and Excise offices in the Isle of Man.

Short title

4. This Act may be cited as the Isle of Man (Customs) Act, 1909.

CHAPTER 46.

An Act to continue various Expiring Laws.

[3rd December 1909.]

WHEREAS the Acts mentioned in Part I. of the First Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December nineteen hundred and nine:

And whereas the Act mentioned in Part II. of the First Schedule to this Act is, to the extent aforesaid, limited to expire on the first day of January nineteen hundred and ten:

And whereas the Acts mentioned in Part III. of the First Schedule to this Act are limited to expire on the thirty-first day of March nineteen hundred and ten:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in schedule.

1.—(1) The Acts mentioned in the First Schedule to this Act shall, to the extent specified in column three of that schedule, be continued until the thirty-first day of December nineteen hundred and ten, and shall then expire, unless further continued.

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the schedule to this Act or not.

(3) The Acts mentioned in the Second Schedule to this Act are hereby repealed.

Short title.

2. This Act may be cited as the Expiring Laws Continuance Act, 1909.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
3 & 4 (1) Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	—

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(2) 3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act -	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act -	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61.
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29.
(11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
(13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
(14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	——
(16) 35 & 36 Vict. c. 33.	The Ballot Act, 1872 -	The whole Act -	45 & 46 Vict. c. 50. (Municipal Elections).
(17) 38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(18) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
(19) 41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	The whole Act -	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
(20) 43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act -	46 & 47 Vict. c. 51.
(21) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act -	6 Edw. 7. c. 58. s. 14.
(22) 46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	The whole Act -	58 & 59 Vict. c. 40.
(23) 47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act -	56 & 57 Vict. c. 73.
(24) 49 & 50 Vict. c. 29.	The Crofters Holdings (Scotland) Act, 1886.	As to the powers of the Commissioners for the enlargement of holdings, s. 22.	50 & 51 Vict. c. 24. 51 & 52 Vict. c. 63. 54 & 55 Vict. c. 41.
(25) 51 & 52 Vict. c. 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	——
(26) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60.
(27) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	——
(28) 59 Vict. c. 1. -	The Local Government (Elections) Act, 1896.	The whole Act.	——

1. Session and Chapter.	2. Short Title.	3. How far continued	4 Amending Acts.
(29) 59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	As to the powers of the Light Railway Commissioners.	—
(30) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898	The whole Act	7 Edw. 7. c. 31.
(31) 2 Edw. 7. c. 18	The Licensing (Ireland) Act, 1902.	The whole Act.	—
(32) 3 Edw. 7. c. 36.	The Motor Car Act, 1903	The whole Act.	—
(33) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	—
(34) 5 Edw. 7. c. 18.	The Unemployed Workmen Act, 1905.	The whole Act.	—
PART II.			
(35) 7 Edw. 7. c. 55.	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, s. 2.	—
PART III.			
(36) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act.	—
(37) 59 & 60 Vict. c. 37	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act.	—

Section 1.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

The Agricultural Rates Act, 1896, &c., Continuance Act, 1901 (1 Edw. 7. c. 18).

The Agricultural Rates Act, 1896, &c., Continuance Act, 1905 (5 Edw. 7. c. 8).

The Wireless Telegraphy Act, 1906 (6 Edw. 7. c. 13).

CHAPTER 47.

An Act to promote the Economic Development of the United Kingdom and the Improvement of Roads therein. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

DEVELOPMENT.

Power to make advances for certain purposes.

1.—(1) The Treasury may, upon the recommendation of the Development Commissioners appointed under this Act, make advances to a Government department, or through a Government department to a public authority, university, college, school, or institution, or an association of persons or company not trading for profit, either by way of grant or by way of loan, or partly in one way and partly in the other, and upon such terms and subject to such conditions as they may think fit, for any of the following purposes:—

(*a*) Aiding and developing agriculture and rural industries by promoting scientific research, instruction and experiments in the science, methods and practice of agriculture (including the provision of farm-institutes), the organisation of co-operation, instruction in marketing produce, and the extension of the provision of small holdings; and by the adoption of any other means which appear calculated to develop agriculture and rural industries;

(*b*) Forestry (including (1) the conducting of inquiries, experiments, and research for the purpose of promoting forestry and the teaching of methods of afforestation; (2) the purchase and planting of land found after inquiry to be suitable for afforestation);

(*c*) The reclamation and drainage of land;

(*d*) The general improvement of rural transport (including the making of light railways but not including the construction or improvement of roads);

(*e*) The construction and improvement of harbours;

(*f*) The construction and improvement of inland navigations;

(*g*) The development and improvement of fisheries;

and for any other purpose calculated to promote the economic development of the United Kingdom.

(2) All applications for advances under this Part of this Act shall be made to the Treasury in accordance with regulations made by the Treasury.

(3) No advance shall be made for any purpose which might
8 Edw. 7. c. 36. be carried out under the provisions of the Small Holdings and Allotments Act, 1908, upon any terms or conditions different from those contained in that statute except for some special reason which shall be stated in the annual report of the Development Commissioners.

Establishment of development fund.

2.—(1) All advances, whether by way of grant or by way of loan, made under this Part of this Act shall be made out of a fund, called the development fund, into which shall be paid—

(*a*) Such moneys as may from time to time be provided by Parliament for the purposes of this Part of this Act;

(*b*) The sums issued out of the Consolidated Fund under this section; and

(*c*) Any sums received by the Treasury by way of interest on or repayment of any advance made by way of loan under this Part of this Act, and any profits or proceeds derived from the expenditure of any advance which by the terms on which the advance was made are to be paid to the Treasury.

(2) There shall be charged on and issued out of the Consolidated Fund, or the growing produce thereof, in the year ending the thirty-first day of March nineteen hundred and eleven, and in each of the next succeeding four years, the sum of five hundred thousand pounds.

(3) The Treasury may accept any gifts made to them for all or any of the purposes for which advances may be made under this Part of this Act and, subject to the terms of gift, apply them for the purposes of this Part of this Act in accordance with regulations made by the Treasury.

(4) The Treasury shall cause an account to be prepared and transmitted to the Comptroller and Auditor-General for examination, on or before the thirtieth day of September in every year, showing the receipts into and issues out of the development fund in the financial year ended on the thirty-first day of March preceding, and the Comptroller and Auditor-General shall certify and report upon the same, and such account and report shall be laid before Parliament by the Treasury on or before the thirty-first day of January in the following year if Parliament be then sitting, and, if not sitting, then within one week after Parliament shall be next assembled.

(5) Payments out of and into the development fund, and all other matters relating to the fund and the moneys standing to the credit of the fund, shall be made and regulated in such manner as the Treasury may by minute to be laid before Parliament direct.

(6) The Treasury may from time to time invest any moneys standing to the credit of the development fund in any securities in which trustees are by law authorised to invest trust funds.

Constitution of Development Commissioners.

3.—(1) For the purposes of this Part of this Act it shall be lawful for His Majesty by warrant under the sign manual to appoint five Commissioners, to be styled the Development Commissioners, of whom one to be appointed by His Majesty shall be chairman.

(2) Subject to the provisions of this section, the term of office of a Commissioner shall be ten years. One Commissioner shall retire every second year, but a retiring Commissioner may be reappointed. The order in which the Commissioners first appointed are to retire shall be determined by His Majesty. On a casual vacancy occurring by reason of the death, resignation, or incapacity of a Commissioner, or otherwise, the person appointed by His Majesty to fill the vacancy shall continue in office until the Commissioner in whose place he was appointed would have retired, and shall then retire.

(3) There shall be paid to not more than two of the Commissioners such salaries, not exceeding in the aggregate three thousand pounds in each year, as the Treasury may direct.

(4) The Commissioners may act by three of their number and notwithstanding a vacancy in their number, and, subject to the approval of the Treasury, may regulate their own procedure.

(5) The Commissioners may, with the consent of the Treasury, appoint and employ such officers and servants for the purposes of this Part of this Act as they think necessary, and may remove any officer or servant so appointed and employed, and there shall be paid to such officers and servants such salaries or remuneration as the Commissioners, with the consent of the Treasury, may determine.

(6) The salaries of the Commissioners and the salaries or remuneration of their officers and servants, and any expenses incurred by the Commissioners in the execution of their duties under this Part of this Act, to such amount as may be sanctioned by the Treasury, shall be defrayed out of the development fund.

Powers and duties of Commissioners.

4.—(1) Every application for an advance under this Part of this Act, whether by way of grant or by way of loan, by any body qualified to receive an advance under this Part of this Act, shall, if the applicant is a Government Department, be referred by the Treasury to the Development Commissioners, and, if the applicant is any other body or persons, shall be sent by the Treasury to the Government Department concerned, to be by them referred together with their report thereon to the Development Commissioners.

(2) The Commissioners shall consider and report to the Treasury on every application so referred to them, and may for that purpose, if necessary, hold inquiries either by themselves, or by any of their officers, or any other person appointed for the purpose.

(3) The Commissioners may also appoint advisory committees, and may submit to any such advisory committee for their advice any application referred to them.

(4) The Commissioners may also frame schemes with respect to any of the matters for which advances may be made under this Part of this Act with a view to their adoption by a Government Department or other body or persons to whom an advance may be made.

(5) Before making any recommendation for an advance for the purpose of the improvement of rural transport, the Commissioners shall consult with the Road Board.

(6) The Commissioners shall make to the Treasury an annual report of their proceedings, and such report shall be laid annually before Parliament by the Treasury.

Power to acquire land for certain purposes.

5.—(1) Where an advance is made under this Part of this Act for any purpose which involves the acquisition of land, the Department, body, or persons to whom the advance is made, may acquire and hold land for the purpose, and, where they are unable to acquire by agreement on reasonable terms any land which they consider necessary, they may apply to the Development Commissioners for an order empowering them to acquire the land compulsorily in accordance with the provisions of the Schedule to this Act, and the Commissioners shall have power to make such order.

(2) No land shall be authorised by an order under this section to be acquired compulsorily which, at the date of the order, forms part of any park, garden, or pleasure ground, or forms part of the home farm attached to and usually occupied with a mansion house, or is otherwise required for the amenity or convenience of any dwelling-house, or which at that date is the property of any local authority, or has been acquired by any corporation or company for the purposes of a railway, dock, canal, water, or other public undertaking, or is the site of an ancient monument or other object of archæological interest.

(3) The Commissioners, in making an order for the compulsory purchase of land, shall have regard to the extent of land held or occupied in the locality by any owner or tenant and to the convenience of other property belonging to or occupied by the same owner or tenant, and shall, so far as practicable, avoid taking an undue or inconvenient quantity of land from any one owner or tenant, and for that purpose where part only of a holding is taken shall take into consideration the size and character of the existing agricultural buildings not proposed to be taken which are used in connexion with the holding and the quantity and nature of the land available for occupation therewith, and shall also so far as practicable avoid displacing any considerable number of agricultural labourers or others employed on or about the land.

Definition of agriculture and rural industries.

6. For the purposes of this Part of this Act the expression "agriculture and rural industries" includes agriculture, horticulture, dairying, the breeding of horses, cattle, and other live stock and poultry, the cultivation of bees, home and cottage

industries, the cultivation and preparation of flax, the cultivation and manufacture of tobacco, and any industries immediately connected with and subservient to any of the said matters.

Part II.

Road Improvement.

Constitution of Road Board.

7.—(1) For the purposes of improving the facilities for road traffic in the United Kingdom and of the administration of the road improvement grant provided under any Act passed in the present or any future session of Parliament, there shall be constituted in accordance with regulations made by the Treasury a board, to be called the Road Board, consisting of such number of persons appointed by the Treasury as the Treasury may determine.

(2) The Road Board shall be a body corporate with a common seal, with power to hold land without licence in mortmain.

(3) The Road Board may pay the chairman or vice-chairman of the Board such salary as the Board, with the consent of the Treasury, may determine.

(4) The Road Board may appoint such officers and servants for the purposes of their powers and duties under this Part of this Act as the Board may, with the sanction of the Treasury, determine, and there shall be paid to such officers and servants out of the road improvement grant such salaries or remuneration as the Treasury may determine.

Powers of Road Board.

8.—(1) The Road Board shall have power, with the approval of the Treasury—

(*a*) to make advances to county councils and other highway authorities in respect of the construction of new roads or the improvement of existing roads;

(*b*) to construct and maintain any new roads;

which appear to the Board to be required for facilitating road traffic.

(2) Where advances have been made to highway authorities in respect of the construction of new roads, the Road Board may, where they think it desirable, also contribute towards the cost of maintenance of such new roads.

(3) The sums expended by the Road Board out of income on the construction of new roads or the acquisition of land, or in respect of any loan raised for any such purpose, shall not in any year exceed one-third of the estimated receipts of the Road Board for that year.

(4) An advance to a highway authority may be either by way of grant or by way of loan, or partly in one way and partly in the other, and shall be upon such terms and subject to such conditions as the Board think fit.

(5) For the purposes of this Part of this Act the expression "improvement of roads" includes the widening of any road, the cutting off the corners of any road where land is required to be purchased for that purpose, the levelling of roads, the treatment of a road for mitigating the nuisance of dust, and the doing of any other work in respect of roads beyond ordinary repairs essential to placing a road in a proper state of repair; and the expression "roads" includes bridges, viaducts, and subways.

Provisions as to roads constructed by Road Board.

9.—(1) Every road constructed by the Road Board under the provisions of this Part of this Act shall be a public highway, and the enactments relating to highways and bridges shall apply to such roads accordingly, except that every such road shall be maintainable by and at the cost of the Road Board, and, for the purpose of the maintenance, repair, improvement, and enlargement of or dealing with any such road, the Board shall have the same powers (except the power of levying a rate) and be subject to the same duties as a county council have and are subject to as respects main roads, and may further exercise any powers vested in a county council for the purposes of the maintenance and repair of bridges, and the Road Board shall have the same powers as a county council for the preventing and removing of obstructions:

Provided that—

(*a*) Communications between a road or path and a road constructed by the Road Board shall be made in manner to be approved by the Road Board; and

(*b*) The Road Board and any highway authority in whose district any part of any such road is situate may contract for the undertaking by such authority of the maintenance and repair of the part of such road in their district; and, for the purposes of such undertaking, the highway authority shall have the same powers and be subject to the same duties and liabilities as if the road were a road vested in the highway authority.

(2) Before the Treasury approve of the construction of a new road by the Road Board, they shall consult with the Local Government Board and shall satisfy themselves that notice of the intention to construct the road has been sent by the Road Board to every highway authority in the area of which any part of the proposed road will be situate, and shall consider any objections to the proposed road which they may receive from any such authority.

Provisions as to construction of new roads by highway authorities.

10.—(1) Where the Road Board make an advance to a highway authority in respect of the construction of a new road, the Board may authorise the authority to construct the road, and where so authorised the highway authority shall have power to construct the road and to do all such acts as may be necessary

for the purpose, and any expenses of the authority, so far as not defrayed out of the advance, shall be defrayed as expenses incurred by the authority in exercise of their powers as highway authority, and the enactments relating to such expenses, including the provisions as to borrowing, shall apply accordingly.

(2) Where the highway authority to whom the advance is made are a county council, the new road, when constructed, shall be a main road and in any other case shall be a highway repairable by the inhabitants at large:

Provided that the maintenance of any such road within the administrative county of London shall devolve upon the local authority responsible for the maintenance of streets and roads in whose district the same is situate.

Acquisition of land.

11.—(1) Where the Treasury have approved a proposal by the Road Board to construct a new road under this Part of this Act the Board may acquire land for the purpose, and may, in addition, acquire land on either side of the proposed road within two hundred and twenty yards from the middle of the proposed road.

(2) The Road Board may acquire, erect, and furnish such offices and other buildings as they may require, and may acquire land for the purpose.

(3) Where a highway authority are authorised to construct a new road under this Part of this Act, or an advance is made to such an authority in respect of the improvement of an existing road, the authority may acquire land for the purpose of such construction or improvement.

(4) For the purpose of the purchase of land by agreement under this Part of this Act by the Road Board or a highway authority the Lands Clauses Acts shall be incorporated with this Part of this Act, except the provisions of those Acts with respect to the purchase and taking of land otherwise than by agreement, and section one hundred and seventy-eight of the Public Health Act, 1875, shall apply as if the Road Board and the highway authority were referred to therein.

38 & 39 Vict. c. 55.

(5) Where the Road Board or any highway authority are unable to acquire by agreement on reasonable terms any land which they consider necessary, they may apply to the Development Commissioners for an order empowering them to acquire the land compulsorily in accordance with the provisions of the Schedule to this Act, and the Commissioners shall have power to make such an order: Provided that the provisions of Part I. of this Act, prohibiting the compulsory acquisition of the classes of land mentioned in subsection (3) of section five of this Act shall apply to the acquisition by the Road Board of land on either side of a road proposed to be constructed by the Board.

(6) The Road Board shall have full power, with the approval of the Treasury, to sell, lease, and manage any land acquired by them under this Part of this Act and not required for the new road, and any receipts derived from any such land, so far as they

are applied for the purposes of the construction of new roads, shall not be treated as part of the expenditure of the Road Board on new roads for the purpose of the provisions of this Act limiting the amount of expenditure of the Road Board on new roads.

Expenses and receipts of Road Board.

12.—(1) All expenses of the Road Board under this Part of this Act, including the salary of the chairman or vice-chairman and the salaries and the remuneration of officers and servants, to such amount as may be sanctioned by the Treasury, shall be defrayed out of the road improvement grant.

(2) The Treasury shall cause an account to be prepared and transmitted to the Comptroller and Auditor-General for examination, showing the receipts into and issues out of the road improvement grant in the financial year ending the thirty-first day of March preceding, and the Comptroller and Auditor-General shall certify and report upon the same, and such account and report shall be laid before Parliament by the Treasury.

(3) Any sums received by the Road Board under this Part of this Act shall, subject to regulations made by the Treasury, be carried to the account to which the road improvement grant is required to be carried under the Act under which the grant is provided, and shall be treated as part of that grant.

Power to borrow.

13.—(1) The Road Board may, with the approval of and subject to regulations made by the Treasury, borrow on the security of the road improvement grant for the purpose of meeting any expenditure which appears to the Treasury to be of such a nature that it ought to be spread over a term of years, so however that the total amount required for the payment of interest on and the repayment of money so borrowed shall not exceed in any year the sum of two hundred thousand pounds.

(2) If and so far as the road improvement grant is insufficient to meet the amount required for the payment of interest on and the repayment of principal in any year, that amount shall be charged on and payable out of the Consolidated Fund or the growing produce thereof, but any sums so paid out of the Consolidated Fund shall be made good out of the road improvement grant.

Annual report to Parliament.

14. The Road Board shall make to the Treasury an annual report of their proceedings, and such report shall be laid annually before Parliament by the Treasury.

Application to London.

15. For the purposes of this Part of this Act the expression "highway authority" includes, as respects the administrative county of London, the London County Council.

Application to Scotland.

16. This Part of this Act shall apply to Scotland, subject to the following modifications :—

The expression "highway authority" means a county council or a town council, and the expressions "road" and "main road" mean any road or street maintainable at the

cost of a highway authority. References to a county council and to the powers and duties thereof shall as regards their respective areas be deemed to include references to a county road board and a district committee of a county council and to a town council and to their respective powers and duties. The reference to a highway maintainable by the inhabitants at large shall not apply:

The expression "Local Government Board" means the Secretary for Scotland.

Application Ireland.

17. This Part of this Act shall apply to Ireland, subject to the following modifications:—

(1) The expression "highway authority" means the council of any county or county borough:

(2) The expression "Local Government Board" means the Local Government Board for Ireland:

(3) The reference to a road vested in a highway authority shall be construed as a reference to a road maintainable at the cost of the council of a county or county borough.

PART III.

GENERAL.

Obligation to consider the state and prospects of employment.

18. In approving, executing, or making advances in respect of the execution of any work under this Act involving the employment of labour on a considerable scale, regard shall be had so far as is reasonably practicable to the general state and prospects of employment.

Provisions as to commons and open spaces.

19.—(1) Where an order made by the Development Commissioners under Part I. or Part II. of this Act authorises the acquisition of any land forming part of any common, open space, or allotment, the order, so far as it relates to the acquisition of such land, shall be provisional only, and shall not have effect unless and until it is confirmed by Parliament, except where the order provides for giving in exchange for such land other land, not being less in area, certified by the Board of Agriculture and Fisheries to be equally advantageous to the persons, if any, entitled to commonable or other rights, and to the public:

Provided that—

(*a*) This provision shall not apply to the acquisition of any common land for the purpose of forestry, if the order provides for the granting to the public of reasonable access to the land for air, exercise, or recreation unless the land has been dedicated to the public use and enjoyment or is a metropolitan common within the terms of the Metropolitan Commons Act, 1866, or is a suburban common as defined by the Commons Act, 1876, or is subject to a scheme of regulation made in pursuance of the

29 & 30 Vict. c. 122.

39 & 40 Vict. c. 56.

Metropolitan Commons Acts, 1866 to 1898, or the Inclosure Acts, 1845 to 1899, or to a private or local Act of Parliament; and

(*b*) This provision shall not apply to the acquisition of any common land for the purpose of the construction of a new road or the improvement of an existing road within a rural district; and

(*c*) Nothing in this Act shall authorise the acquisition of land on either side of a new road to be constructed by the Road Board where the land forms part of a common, open space, or allotment.

(2) Before giving any such certificate of equality of exchange, the Board of Agriculture and Fisheries shall give public notice of the proposed exchange, and shall afford opportunities to all persons interested to make representations and objections in relation thereto, and shall, if necessary, hold a local inquiry on the subject.

(3) Where any order of the Development Commissioners authorises such an exchange, the order shall provide for vesting the land given in exchange in the persons in whom the common, open space, or allotment was vested, subject to the same rights, trusts, and incidents as attached to the common, open space, or allotment, and for discharging the part of the common, open space, or allotment acquired from all rights, trusts, and incidents to which it was previously subject.

(4) For the purposes of this Act the expression "common" shall include any land subject to be enclosed under the Inclosure Acts, 1845 to 1882, and any town or village green; the expression "open space" means any land laid out as a public garden or used for the purposes of public recreation and any disused burial ground; and the expression "allotment" means any allotment set out as a fuel allotment or a field garden allotment under an Inclosure Act.

Short title.

20. This Act may be cited as the Development and Road Improvement Funds Act, 1909.

Sections 5 and 11.

SCHEDULE.

(1) Where a Government Department, body, or persons to whom an advance is made under Part I. of this Act, or the Road Board or a highway authority (in this Schedule referred to as "the undertakers") propose to purchase land compulsorily under this Act, the undertakers may submit to the Development Commissioners a draft order putting in force, as respects the lands specified in the order, the provisions of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

(2) The order shall be in the prescribed form and shall contain such provisions as the Development Commissioners may prescribe for the purpose of carrying the order into effect, and shall incorporate the Lands

Clauses Acts and sections seventy-seven to eighty-five of the Railways Clauses Consolidation Act, 1845, or, in Scotland, sections seventy to seventy-eight of the Railways Clauses Consolidation (Scotland) Act, 1845, and those Acts shall apply accordingly, subject to the following modifications :— 8 & 9 Vict. c. 20. 8 & 9 Vict. c. 33.

(A) Any question of disputed compensation shall be determined by a single arbitrator, who shall be appointed, and whose remuneration shall be fixed, as respects England, by the Lord Chief Justice of England, as respects Scotland by the Lord President of the Court of Session, and as respects Ireland by the Lord Chief Justice of Ireland and the arbitrator so appointed shall be deemed to be an arbitrator within the meaning of those Acts ;

(B) An arbitrator so appointed may, notwithstanding anything in the Lands Clauses Acts, determine the amount of costs, and shall have power to disallow, as costs of the arbitration, the costs of any witness whom he considers to have been called unnecessarily, and any other costs which he considers have been caused or incurred unnecessarily ;

(C) In determining the amount of any disputed compensation under any such order, no additional allowance shall be made on account of the purchase being compulsory, and the arbitrator shall have regard to the extent to which the remaining and contiguous lands and hereditaments belonging to the same proprietor may be benefited by the proposed work or road for which the land is authorised to be acquired by the undertakers ;

(D) The provisions of the Lands Clauses Acts as to the sale of superfluous land shall not apply.

(3) The draft order shall be published by the undertakers in the prescribed manner, and such notice shall be given both in the locality in which the land is proposed to be acquired and to the owners, lessees, and occupiers of that land as may be prescribed, and in the case of land forming part of a common, open space, or allotment, also to the Board of Agriculture and Fisheries.

(4) An order authorising the acquisition of any buildings may, if a portion only of those buildings are required for the purposes of the undertakers, notwithstanding anything in the Lands Clauses Acts, require the owners of and other persons interested in those buildings to sell and convey to the undertakers the portions only of the buildings so required, if the arbitrator is of opinion that such portions can be severed from the remainder of the properties without material detriment thereto, and, in such case, the undertakers shall not be obliged to purchase the whole or any greater portion thereof, and shall pay for the portions acquired by them and make compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

(5) An order may provide for the continuance of any existing easement or the creation of any new easement over the land authorised to be acquired.

(6) Where the land is glebe land or other land belonging to an ecclesiastical benefice, the order shall provide that sums agreed upon or awarded for the purchase of the land or to be paid by way of compensation for the damage to be sustained by the owner by reason of severance or other injury affecting the land, shall not be paid as directed by the Lands Clauses Acts, but shall be paid to the Ecclesiastical Commissioners

to be applied by them as money paid to them upon a sale under the provisions of the Ecclesiastical Leasing Acts of land belonging to a benefice.

The provisions of this paragraph shall not apply to Scotland or Ireland.

(7) In construing, for the purposes of this schedule or any order made thereunder, any enactment incorporated with the order, this Act together with the order shall be deemed to be the special Act and the undertakers shall be deemed to be the promoters of the undertaking, and the expression "land" shall include easements, in or relating to land.

(8) In this Schedule the expression "prescribed" means prescribed by the Development Commissioners, and in Scotland the expression "easements" means servitudes.

CHAPTER 48.

An Act to provide for Superannuation Allowances to Officers and Servants employed in Public Asylums for the Insane in Great Britain and Ireland; and to make other relative provisions. [3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

SUPERANNUATION.

Division of officers and servants into classes.

1.—(1) For the purposes of this Act the established officers and servants employed in asylums shall be divided into two classes. The first class shall consist of all those established officers and servants who have the care or charge of the patients in the usual course of their employment. The second class shall include all other established officers and servants.

(2) The division of established officers and servants into classes shall be made by the visiting committee of each asylum, with the consent of the local authority, and the visiting committee shall affix in a conspicuous place in the asylum a notice with respect to such division into classes.

Title of officers, servants, &c., to superannuation allowances, and scale thereof.

2. Subject to the provisions of this Act—

(1) Any established officer or servant of the first class who has been in the service of an asylum for not less than twenty years, and is not less than fifty-five years old, or who is permanently incapacitated for asylum duties after ten years' service by injury or illness, mental or bodily, medically certified and not attributable to his own misconduct, shall be entitled, on resigning or otherwise ceasing to hold office or employment, to receive during life or incapacity a superannuation allowance, the annual amount of which shall be computed at the rate of

one fiftieth of his salary or wages and emoluments for each completed year of service:

(2) Any established officer or servant of the second class who has been in the service of an asylum for not less than twenty years and is not less than sixty years old, or who is permanently incapacitated for asylum duties after ten years' service by injury or illness, mental or bodily, medically certified and not attributable to his own misconduct, shall be entitled, on resigning or otherwise ceasing to hold office or employment, to receive during life a superannuation allowance the annual amount of which shall be computed at the rate of one sixtieth of his salary or wages and emoluments for each completed year of service:

(3) The visiting committee of any asylum may, in computing the amount of superannuation allowance to any established officer or servant, take into account any peculiar professional qualifications or services or special circumstances entitling to consideration and, with the consent of the Secretary of State, add a number of years not exceeding ten to the number of years which the officer or servant has actually served in the aggregate:

(4) Where an established officer or servant of an asylum is injured—

(*a*) in the actual discharge of his duty; and

(*b*) without his own default; and

(*c*) by some injury specifically attributable to the nature of his duty;

and is permanently incapacitated for asylum duties as the result of such injury, the visiting committee of such asylum may grant to him such gratuity or special superannuation allowance as they may consider reasonable:

Provided that a superannuation allowance shall not in any case exceed two-thirds of the salary or wages and emoluments of the superannuated person, and a gratuity granted under this section shall not exceed one year's salary or wages and emoluments of the person to whom it is granted.

Duty of visiting committee in cases where superannuation allowances are granted on ground of incapacity.

3.—(1) Where an established officer or servant is entitled to receive, or is granted a superannuation allowance, on the ground of incapacity for the performance of his duty, the visiting committee of the asylum shall, yearly or otherwise, until the power under this Act of requiring such officer or servant to serve again ceases, satisfy themselves that the incapacity continues, and, unless they resolve that such evidence is unnecessary, shall satisfy themselves by the evidence of a legally qualified medical practitioner selected by the visiting committee.

(2) In the event of the incapacity ceasing before the time at which the officer or servant would if he had continued to serve have been entitled without a medical certificate to retire and receive a superannuation allowance for life, the visiting committee of the asylum may cancel his superannuation allowance and require him to serve again in the asylum at a rate of pay and emoluments (if any) not less than the rate which he received before his retirement.

(3) Where an established officer or servant so serves again, the provisions of this Act as to retirement and superannuation allowances, gratuities, and contributions shall apply as if he had not previously retired, save that the time which elapsed between his former retirement and the commencement of his service again shall not be reckoned as service.

Power to grant gratuities to dependants in case of death of officer or servant

4. It shall be competent for the visiting committee with the consent of the local authority to grant at their discretion, and on such terms as they think fit—

(*a*) In the case of an established officer or servant dying while in the service of the asylum who, if he had retired at the time of his death, would have been entitled to a superannuation allowance, a gratuity to his widow or children; and

(*b*) In the case of an established officer or servant dying (whilst in the service of the asylum) to whom, if he had survived, a special superannuation allowance might have been granted, an annual allowance or a gratuity to his widow or children:

Provided that a gratuity granted under this section shall not exceed his total contributions, or one year's salary or wages and emoluments, whichever is the larger amount, and that an annual allowance granted under this clause shall not exceed two-thirds of his salary or wages and emoluments.

Forfeiture for fraud, &c.

5. An established officer or servant who is dismissed or resigns or otherwise ceases to hold office in consequence of any offence of a fraudulent character or of grave misconduct, shall forfeit all claim to any superannuation allowance under this Act in respect of his previous service, provided that the visiting committee of the asylum in which he was last employed may in special cases, if they see fit, return a sum equal to the amount of all or part of his aggregate contributions under this Act.

Reckoning service.

6. Subject as herein-after provided all services by an established officer or servant in an asylum shall be aggregated and reckoned for the purposes of this Act, whether the services have been continuous or not, and whether they have been rendered at one or more asylums: Provided that, where an officer or servant of an asylum has removed to another asylum, not being an asylum provided by the same local authority, his services in the first asylum shall not be so aggregated and

reckoned unless they amount to at least two years' service, and, in the case of an officer or servant who has removed to another asylum after the commencement of this Act, unless he has removed with the written sanction of the visiting committee of the asylum from which he removed.

Case of subsequent appointment

7. If an established officer or servant, in receipt of superannuation allowance under this Act, is appointed to any office or employment by any authority to which this Act applies, or to an office or employment remunerated out of money provided by Parliament, or out of a county or borough rate or fund, or out of any parochial, district, or other rate, he shall not, while holding that office or employment, receive more of the superannuation allowance than, together with the remuneration of that office or employment, is equal to the remuneration of the office or employment in respect of which the superannuation allowance was awarded.

Any such person on ceasing to hold such office or employment shall be entitled to revert to and receive the full amount of his original superannuation allowance from the visiting committee which granted it.

CONTRIBUTION.

Obligation of officers and servants to contribute.

8. Subject to the provisions of this Act, every established officer and servant employed in an asylum shall contribute annually, for the purpose of this Act, a percentage amount of his salary or wages and emoluments, according to the scale laid down in this Act, such amount to be from time to time deducted from the salary or wages payable to him and to be carried to and to form part of the fund from which the superannuation allowances are to be paid.

Scale of contributions.

9. The percentage amounts to be deducted annually for the purposes of this Act shall be as follows (that is to say):—

In the case of officers and servants with less than five years' service at the passing of this Act, two per cent. of the salary or wages and emoluments for each year;

In the case of officers and servants with more than five and less than fifteen years' service at the passing of this Act, two and a half per cent. of the salary or wages and emoluments for each year;

In the case of officers and servants with more than fifteen years' service at the passing of this Act, or appointed after the passing of this Act, three per cent. of the salary or wages and emoluments for each year.

Return of contributions in certain cases.

10.—(1) An established officer or servant who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of reduction of staff, or of any other cause whatever other than his own misconduct or voluntary

resignation, shall be entitled to receive the aggregate amount of his contributions under this Act.

(2) The visiting committee of an asylum may, if they think fit, repay to any female officer or servant leaving to be married after not less than three years' service, the amount of her contributions under this Act, provided that within three months after leaving she produces to the visiting committee her marriage certificate.

(3) If an officer or servant who has received his contributions under this section subsequently obtains a fresh office or employment in an asylum, he shall not be entitled to reckon his service before obtaining such fresh office or employment towards a superannuation allowance under this Act, unless, upon obtaining such fresh office or employment, he repays the amount so received to the visiting committee from whom he received it.

MISCELLANEOUS.

Provision for retiring officers and servants in certain cases.

11. When an established officer or servant of the first class has attained the age of fifty-five, or an established officer or servant of the second class has attained the age of sixty, and the visiting committee of the asylum in which he is employed are of opinion that his retirement would be expedient in the interests of the service, it shall be competent for them to require him to retire upon payment to him of the superannuation allowance to which he may be entitled under this Act:

Provided that nothing in this section shall prejudice the existing right of any visiting committee to dismiss any officer or servant employed in an asylum, or to reduce him to a lower rate of pay, or shall prevent his claim to superannuation allowance from being refused in any case where under this Act a claim to superannuation allowance is forfeited.

Payment of allowances and gratuities

12. Every superannuation allowance or gratuity under this Act shall be paid by the visiting committee of the asylum in which the officer or servant to whom, or to whose widow or children, the superannuation allowance or gratuity is payable was employed at the time of his superannuation or death, and shall be paid out of the fund out of which the salary or wages and emoluments of the officer or servant is or has been paid, and the weekly sum fixed by the visiting committee under section two hundred and eighty-three of the Lunacy Act, 1890, shall be of such amount that the total of such weekly sums shall be sufficient to pay all such superannuation allowances or gratuities in addition to the expenses of maintenance and salaries payable out of such sums under that section:

53 & 54 Vict c. 5.

Provided that, where an established officer or servant of an asylum has removed to some other asylum under such circumstances as entitle him to aggregate his services in such first mentioned asylum with his services in such last mentioned asylum and in due course becomes entitled to and is awarded

a superannuation allowance, the visiting committee in whose service he then is shall be entitled to call upon the other visiting committee or committees with whom he shall have served, and they shall contribute a proportionate part of the superannuation allowance to such officer or servant reckoned according to the service and pay of such officer or servant during his service in such asylum, and the said proportionate part shall be settled by agreement between the visiting committees, or in default of agreement, by the Secretary of State.

Saving of liabilities in respect of contributions to allowances. 51 & 52 Vict. c. 41. 53 & 54 Vict. c. 5.

13. Where, by virtue of any award made under section sixty-two of the Local Government Act, 1888, or section two hundred and forty-four of the Lunacy Act, 1890, any liability is imposed on any county council or the council of any county borough to contribute to any superannuation allowances granted to any officer or servant of an asylum, such liability shall, unless and until otherwise provided by subsequent award, agreement, or otherwise, continue in the same manner and to the same extent as if this Act had not been passed: Provided that any sums payable under any such award in respect of superannuation allowances granted under this Act shall be paid to the visiting committee of any such asylum in lieu of the county council or the council of any county borough to whom the same would otherwise be payable.

Assignment

14. The following provisions shall have effect with respect to every superannuation allowance, allowance, and gratuity (in this section referred to as a "grant") payable by the visiting committee of an asylum to any person (in this section referred to as the "pensioner"):—

(1) Every assignment of and charge on a grant, and every agreement to assign or charge a grant, shall, except so far as made for the benefit of the family of the pensioner, be void, and on the bankruptcy of the pensioner the grant shall not pass to any trustee or other person acting on behalf of the creditors:

(2) Where any parochial relief is given to a pensioner or to anyone whom he is liable to maintain, the visiting committee of an asylum may pay the whole or any part of the grant to the guardians or other authority giving the relief, and the same, when so paid, may be applied in repayment of any sums expended in such relief, and, subject thereto, shall be paid or applied by the guardians or other authority to or for the benefit of the pensioner:

(3) If the pensioner neglects to maintain any person whom he is liable to maintain, the visiting committee of an asylum may in their discretion pay or apply the whole or any part of the grant to or for the benefit of that person:

(4) If the pensioner appears to the visiting committee of an asylum to be insane or otherwise incapacitated to act, the visiting committee of the asylum may pay so much of the grant as the visiting committee of the asylum think fit to the institution or person having the care of the pensioner, and may pay the surplus (if any) or such part thereof as the visiting committee think fit for or towards the maintenance and benefit of the wife or relatives of the pensioner:

(5) On the death of a pensioner to whom a sum not exceeding one hundred pounds is due on account of a grant, then, if the visiting committee of the asylum so direct, probate or other proof of the title of the personal representative of the deceased may be dispensed with, and the sum may be paid or distributed to or among the persons appearing to the visiting committee of the asylum to be beneficially entitled to the personal estate of the deceased pensioner, or to or among any one or more of those persons, or, in case of the illegitimacy of the deceased pensioner, to or among such persons as the visiting committee of the asylum may think fit, and the visiting committee of the asylum, and any officer of the visiting committee making the payment, shall be discharged from all liability in respect of any such payment or distribution:

(6) Any sum payable to a minor on account of a grant may be paid either to the minor or to such person and on such conditions for the benefit of the minor as to the visiting committee of the asylum seems expedient:

(7) Where a payment is made to any person by the visiting committee of an asylum in pursuance of this section, the receipt of that person shall be a good discharge for the sum so paid:

(8) The visiting committee of an asylum may, with the consent of the Secretary of State, make rules with respect to declarations to be taken for any purpose relating to grants payable by them, and, while any such rules so made are in force, a person shall not be entitled to receive any sums in respect of a grant payable by such visiting committee until any declaration required by those rules has been made. Any person who makes a wilful misstatement of material fact in any such declaration shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour not exceeding three calendar months.

Appeal in cases of dispute.

15. In the case of any dispute as to the right to superannuation allowance of any officer or servant of an asylum, or as to the amount of the superannuation allowance to which any such

officer or servant is entitled, such dispute shall be determined by the Secretary of State, whose decision shall be final.

Salary or wages and "emoluments."

16. The salary or wages and emoluments of an established officer or servant shall, for the purpose of computing the amount of a superannuation allowance or gratuity, be calculated according to the average amount of his salary or wages and emoluments during the ten years ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment, or, in the case of an officer or servant with less than ten years' service, on the average amount during his whole period of service; and the expression "emoluments" includes all fees, poundage and other payments made to any established officer or servant as such for his own use, and also the money value of any apartments, rations, or other allowances in kind appertaining to his office or employment.

The annual money value of all such fees, poundage and other payments, apartments, rations, or other allowances in kind shall be set out in a schedule to be prepared by the visiting committee of every asylum and affixed in a conspicuous place in the asylum.

Interpretation.

17.—(1) In this Act, if not inconsistent with the context,—

"Asylum" means (1) an asylum for lunatics provided by a county or borough, or by a union of counties or boroughs; (2) a Metropolitan Asylums Board asylum for imbeciles;

"Established officer or servant" means such officer or servant employed in a permanent capacity as has the care or charge of the patients or whom the visiting committee of an asylum shall by resolution determine to be an established officer or servant;

"Local authority" means the local authority by which an asylum is provided, or, in the case of an asylum provided by two or more local authorities, those local authorities, and, in the case of an asylum provided by the Lancashire Asylums Board, that Board.

(2) In the case of an asylum provided or maintained by the Lancashire Asylums Board, for references in this Act to the visiting committee of an asylum there shall be substituted references to that Board, or a visiting committee appointed by that Board, as the case may be.

(3) In the case of an asylum for imbeciles provided or maintained by the Metropolitan Asylums Board, for references in this Act to the visiting committee of an asylum there shall be substituted references to the Board of Managers of the Metropolitan Asylums District, and for references to the Secretary of State there shall be substituted references to the Local Government Board.

Application to Scotland.

18. This Act shall come into operation in Scotland on the fifteenth day of May nineteen hundred and ten, and, if not inconsistent with the context, in the application of this Act to Scotland—

"Asylum" means a district asylum, and "visiting committee" means a district board within the meaning of the Lunacy (Scotland) Acts, 1857 to 1887;

References to the General Board of Commissioners in Lunacy for Scotland shall be substituted for references to the Secretary of State and also for references to the local authority;

A reference to the weekly charge for pauper lunatics fixed and approved from time to time pursuant to section seventy-three of the Lunacy (Scotland) Act, 1857, shall be substituted for the reference to the weekly sum fixed by the visiting committee under section two hundred and eighty-three of the Lunacy Act, 1890;

20 & 21 Vict. c. 71

The expression "established officer or servant" has the meaning in this Act assigned thereto, but shall not include an officer or servant who does not devote his whole time to the duties of his office:

Provided that this Act shall apply to the Greenock parochial asylum and the Kirklands asylum as if they were district asylums, and the respective managing bodies thereof were district boards.

Application to Ireland.

19. In the application of this Act to Ireland—

"Asylum" means a district or auxiliary asylum;

References to the Lord Lieutenant shall be substituted for references to the Secretary of State;

References to local authorities shall not apply;

References to a committee or a joint committee, as the case may be, appointed under section nine of the Local Government (Ireland) Act, 1898, shall be substituted for references to a visiting committee;

61 & 62 Vict. c. 37.

The reference to parochial relief shall be construed as a reference to union relief.

A requirement to retire under section eleven of this Act shall, in its application to an established officer or servant who is an existing officer within the meaning of the Local Government (Ireland) Act, 1898, be subject to the approval of the Lord Lieutenant.

Repeals.

20.—(1) The enactments specified in the schedule to this Act are hereby repealed to the extent specified in the third column thereof, subject to this qualification, that this repeal shall not affect the payment of any superannuation allowance granted before the commencement of this Act.

Any established officer or servant employed in an asylum at the date of the commencement of this Act may, at any time within three months after the commencement of this Act, signify

in writing to the visiting committee of the asylum his intention not to avail himself of the provisions of this Act, and in that event it shall not be obligatory on him, notwithstanding anything in this Act contained, to make any contribution, or submit to any deduction from his salary or wages, under this Act, nor shall he be entitled to receive any superannuation allowance, gratuity, or other benefit under this Act; but any such established officer or servant of an asylum who has given such notice as aforesaid shall remain subject to the provisions of the enactments repealed by this Act or, in the case of an officer or servant of the Metropolitan Asylums Board to the Poor Law Officers' Superannuation Act, 1896, with respect to the superannuation allowances of officers and servants in asylums as if this Act had not been passed. After the expiration of three months from the commencement of this Act, the Poor Law Officers' Superannuation Act, 1896, shall cease to apply to any established officer or servant employed in an asylum who has not, in the manner provided by this section, signified his intention not to avail himself of the provisions of this Act. 59 & 60 Vict. c. 50.

(2) Any officer or servant of the asylum who is at the date of the commencement of this Act in the service of a visiting committee of an asylum to which this Act applies, and who is not, or is not determined to be, an established officer or servant within the meaning of this Act, shall remain subject to the provisions of the enactments repealed by this Act with respect to the superannuation allowances of officers and servants in asylums as if this Act had not been passed.

21. This Act may be cited as the Asylums Officers' Superannuation Act, 1909, and, except in Scotland, shall come into operation on the first day of April nineteen hundred and ten. Short title and commencement of Act.

SCHEDULE. Section 20.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
19 & 20 Vict. c. 99.	The Lunatic Asylums Superannuations (Ireland) Act, 1856.	The whole Act so far as unrepealed.
30 & 31 Vict. c. 118.	The Lunacy (Ireland) Act, 1867.	Section eight.
53 Vict. c. 5. -	Lunacy Act, 1890 - -	Sections two hundred and eighty, two hundred and eighty-one, and two hundred and eighty-two.
53 & 54 Vict. c. 31.	The Pauper Lunatic Asylums (Ireland) Superannuation Act, 1890.	The whole Act so far as unrepealed

CHAPTER 49.

An Act to consolidate and amend and extend to other Companies carrying on Assurance or Insurance business the Law relating to Life Assurance Companies, and for other purposes connected therewith.

[3rd December 1909.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

COMPANIES TO WHICH ACT APPLIES.

Companies to which Act applies.

1. This Act shall apply to all persons or bodies of persons, whether corporate or unincorporate, not being registered under the Acts relating to friendly societies or to trade unions (which persons and bodies of persons are hereinafter referred to as assurance companies), whether established before or after the commencement of this Act and whether established within or without the United Kingdom, who carry on within the United Kingdom assurance business of all or any of the following classes:—

(*a*) Life assurance business; that is to say, the issue of, or the undertaking of liability under, policies of assurance upon human life, or the granting of annuities upon human life;

(*b*) Fire insurance business; that is to say, the issue of, or the undertaking of liability under, policies of insurance against loss by or incidental to fire;

(*c*) Accident insurance business; that is to say, the issue of, or the undertaking of liability under, policies of insurance upon the happening of personal accidents, whether fatal or not, disease or sickness, or any class of personal accidents, disease, or sickness;

(*d*) Employers' liability insurance business; that is to say, the issue of, or the undertaking of liability under, policies insuring employers against liability to pay compensation or damages to workmen in their employment;

(*e*) Bond investment business; that is to say, the business of issuing bonds or endowment certificates by which the company, in return for subscriptions payable at periodical intervals of two months or less, contract to pay the bondholder a sum at a future date, and not being life assurance business as hereinbefore defined;

subject as respects any class of assurance business to the special provisions of this Act relating to business of that class.

A company registered under the Companies Acts which transacts assurance business of any such class as aforesaid in any part of the world shall for the purposes of this provision be deemed to be a company transacting such business within the United Kingdom.

GENERAL.

Deposit.

2.—(1) Every assurance company shall deposit and keep deposited with the Paymaster-General for and on behalf of the Supreme Court the sum of twenty thousand pounds.

(2) The sum so deposited shall be invested by the Paymaster-General in such of the securities usually accepted by the Court for the investment of funds placed under its administration as the company may select, and the interest accruing due on any such securities shall be paid to the company.

(3) The deposit may be made by the subscribers of the memorandum of association of the company, or any of them, in the name of the proposed company, and, upon the incorporation of the company, shall be deemed to have been made by, and to be part of the assets of, the company, and the registrar shall not issue a certificate of incorporation of the company until the deposit has been made.

(4) Where a company carries on, or intends to carry on, assurance business of more than one class, a separate sum of twenty thousand pounds shall be deposited and kept deposited under this section as respects each class of business, and the deposit made in respect of any class of business in respect of which a separate assurance fund is required to be kept shall be deemed to form part of that fund, and all interest accruing due on any such deposit or the securities in which it is for the time being invested shall be carried by the company to that fund.

(5) The Paymaster-General shall not accept a deposit except on a warrant of the Board of Trade.

(6) The Board of Trade may make rules with respect to applications for warrants, the payment of deposits, and the investment thereof or dealing therewith, the deposit of stocks or other securities in lieu of money, the payment of the interest or dividends from time to time accruing due on any securities in which deposits are for the time being invested, and the withdrawal and transfer of deposits, and the rules so made shall have effect as if they were enacted in this Act, and shall be laid before Parliament as soon as may be after they are made.

(7) This section shall apply to an assurance company registered or having its head office in Ireland, subject to the following modifications:—

References to the Supreme Court shall be construed as references to the Supreme Court of Judicature in Ireland, and references to the Paymaster-General shall be construed as references to the Accountant-General of the last-mentioned Court.

Separation of funds.

3.—(1) In the case of an assurance company transacting other business besides that of assurance or transacting more than one class of assurance business, a separate account shall be kept of all receipts in respect of the assurance business or of each class of assurance business, and the receipts in respect of the assurance business, or, in the case of a company carrying on more than one class of assurance business, of each class of business, shall be carried to and form a separate assurance fund with an appropriate name: Provided that nothing in this section shall require the investments of any such fund to be kept separate from the investments of any other fund.

(2) A fund of any particular class shall be as absolutely the security of the policy holders of that class as though it belonged to a company carrying on no other business than assurance business of that class, and shall not be liable for any contracts of the company for which it would not have been liable had the business of the company been only that of assurance of that class, and shall not be applied, directly or indirectly, for any purposes other than those of the class of business to which the fund is applicable.

Accounts and balance sheets

4. Every assurance company shall, at the expiration of each financial year of the company, prepare—

(*a*) A revenue account for the year in the form or forms set forth in the First Schedule to this Act and applicable to the class or classes of assurance business carried on by the company;

(*b*) A profit and loss account in the form set forth in the Second Schedule to this Act, except where the company carries on assurance business of one class only and no other business;

(*c*) A balance sheet in the form set forth in the Third Schedule to this Act.

Actuarial report and abstract

5.—(1) Every assurance company shall, once in every five years, or at such shorter intervals as may be prescribed by the instrument constituting the company, or by its regulations or byelaws, cause an investigation to be made into its financial condition, including a valuation of its liabilities, by an actuary, and shall cause an abstract of the report of such actuary to be made in the form or forms set forth in the Fourth Schedule to this Act and applicable to the class or classes of assurance business carried on by the company.

(2) The foregoing provisions of this section shall also apply whenever at any other time an investigation into the financial condition of an assurance company is made with a view to the distribution of profits, or the results of which are made public.

Statement of assurance business.

6. Every assurance company shall prepare a statement of its assurance business at the date to which the accounts of the company are made up for the purposes of any such investigation as aforesaid in the form or forms set forth in the Fifth Schedule

to this Act and applicable to the class or classes of assurance business carried on by the company: Provided that, if the investigation is made annually by any company, the company may prepare such a statement at any time, so that it be made at least once in every five years.

Deposit of accounts, &c. with Board of Trade.

7.—(1) Every account, balance sheet, abstract, or statement hereinbefore required to be made shall be printed, and four copies thereof, one of which shall be signed by the chairman and two directors of the company and by the principal officer of the company and, if the company has a managing director, by the managing director, shall be deposited at the Board of Trade within six months after the close of the period to which the account, balance sheet, abstract, or statement relates: Provided that, if in any case it is made to appear to the Board of Trade that the circumstances are such that a longer period than six months should be allowed, the Board may extend that period by such period not exceeding three months as they think fit.

(2) The Board of Trade shall consider the accounts, balance sheets, abstracts, and statements so deposited, and, if any such account, balance sheet, abstract, or statement appears to the Board to be inaccurate or incomplete in any respect, the Board shall communicate with the company with a view to the correction of any such inaccuracies and the supply of deficiencies.

(3) There shall be deposited with every revenue account and balance sheet of a company any report on the affairs of the company submitted to the shareholders or policy holders of the company in respect of the financial year to which the account and balance sheet relates.

(4) Where an assurance company registered under the Companies Acts in any year deposits its accounts and balance sheet in accordance with the provisions of this section, the company may, at the same time, send to the registrar a copy of such accounts and balance sheet; and, where such copy is so sent, it shall not be necessary for the company to send to the registrar a statement in the form of a balance sheet as required by subsection (3) of section twenty-six of the Companies (Consolidation) Act, 1908, and the copy of the accounts and balance sheet so sent shall be dealt with in all respects as if it were a statement sent in accordance with that subsection. 8 Edw. 7. c. 69.

Right of shareholders, &c. to copies of accounts, &c.

8. A printed copy of the last-deposited accounts, balance sheet, abstract, or statement, shall on the application of any shareholder or policy holder of the company be forwarded to him by the company by post or otherwise.

Audit of accounts.

9. Where the accounts of an assurance company are not subject to audit in accordance with the provisions of the Companies (Consolidation) Act, 1908, or the Companies Clauses Consolidation Act, 1845, relating to audit, the accounts of the company shall be audited annually in such manner as the Board of Trade may prescribe, and the regulations made for the purpose may apply to 8 & 9 Vict. c. 16.

any such company the provisions of the Companies (Consolidation) Act, 1908, relating to audit, subject to such adaptations and modifications as may appear necessary or expedient.

List of shareholders.

10. Every assurance company which is not registered under the Companies Acts, or which has not incorporated in its deed of settlement section ten of the Companies Clauses Consolidation Act, 1845, shall keep a "Shareholders Address Book," in accordance with the provisions of that section, and shall, on the application of any shareholder or policy holder of the company, furnish to him a copy of such book, on payment of a sum not exceeding sixpence for every hundred words required to be copied.

Deed of settlement

11. Every assurance company which is not registered under the Companies Acts shall cause a sufficient number of copies of its deed of settlement or other instrument constituting the company to be printed, and shall, on the application of any shareholder or policy holder of the company, furnish to him a copy of such deed of settlement or other instrument on payment of a sum not exceeding one shilling.

Publication of authorised, subscribed, and paid-up capital.

12. Where any notice, advertisement, or other official publication of an assurance company contains a statement of the amount of the authorised capital of the company, the publication shall also contain a statement of the amount of the capital which has been subscribed and the amount paid up.

Amalgamation or transfer.

13.—(1) Where it is intended to amalgamate two or more assurance companies, or to transfer the assurance business of any class from one assurance company to another company, the directors of any one or more of such companies may apply to the Court, by petition, to sanction the proposed arrangement.

(2) The Court, after hearing the directors and other persons whom it considers entitled to be heard upon the petition, may sanction the arrangement if it is satisfied that no sufficient objection to the arrangement has been established.

(3) Before any such application is made to the Court—

(*a*) notice of the intention to make the application shall be published in the Gazette; and

(*b*) a statement of the nature of the amalgamation or transfer, as the case may be, together with an abstract containing the material facts embodied in the agreement or deed under which the amalgamation or transfer is proposed to be effected, and copies of the actuarial or other reports upon which the agreement or deed is founded, including a report by an independent actuary, shall, unless the Court otherwise directs, be transmitted to each policy holder of each company in manner provided by section one hundred and thirty-six of the Companies Clauses Consolidation Act, 1845, for the

transmission to shareholders of notices not requiring to be served personally: Provided that it shall not be necessary to transmit such statement and other documents to policy holders other than life, endowment, sinking fund, or bond investment policy holders, nor in the case of a transfer to such policy holders if the business transferred is not life assurance business or bond investment business; and

(*c*) the agreement or deed under which the amalgamation or transfer is effected shall be open for the inspection of the policy holders and shareholders at the offices of the companies for a period of fifteen days after the publication of the notice in the Gazette.

(4) No assurance company shall amalgamate with another, or transfer its business to another, unless the amalgamation or transfer is sanctioned by the Court in accordance with this section.

Statements in case of amalgamation or transfer.

14. Where an amalgamation takes place between any assurance companies, or where any assurance business of one such company is transferred to another company, the combined company or the purchasing company, as the case may be, shall, within ten days from the date of the completion of the amalgamation or transfer, deposit with the Board of Trade—

(*a*) certified copies of statements of the assets and liabilities of the companies concerned in such amalgamation or transfer, together with a statement of the nature and terms of the amalgamation or transfer; and

(*b*) a certified copy of the agreement or deed under which the amalgamation or transfer is effected; and

(*c*) certified copies of the actuarial or other reports upon which that agreement or deed is founded; and

(*d*) a declaration under the hand of the chairman of each company, and the principal officer of each company, that to the best of their belief every payment made or to be made to any person whatsoever on account of the amalgamation or transfer is therein fully set forth, and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities, or other property by or with the knowledge of any parties to the amalgamation or transfer.

Special provisions as to winding up of assurance companies.

15. The Court may order the winding up of an assurance company, in accordance with the Companies (Consolidation) Act, 1908, and the provisions of that Act shall apply accordingly, subject, however, to the following modification:—

The company may be ordered to be wound up on the petition of ten or more policy holders owning policies of an aggregate value of not less than ten thousand pounds:

Provided that such a petition shall not be presented except by the leave of the Court, and leave shall not be granted until a primâ facie case has been established to the satisfaction of the Court and until security for costs for such amount as the Court may think reasonable has been given.

Winding up of subsidiary companies.

16.—(1) Where the assurance business or any part of the assurance business of an assurance company has been transferred to another company under an arrangement in pursuance of which the first-mentioned company (in this section called the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this section called the principal company), then, if the principal company is being wound up by or under the supervision of the Court, the Court shall (subject as hereinafter mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the Court necessary, with a view to the companies being wound up as if they were one company.

(2) The commencement of the winding up of the principal company shall, save as otherwise ordered by the Court, be the commencement of the winding up of the subsidiary company.

(3) In adjusting the rights and liabilities of the members of the several companies between themselves, the Court shall have regard to the constitution of the companies, and to the arrangements entered into between the companies, in the same manner as the Court has regard to the rights and liabilities of different classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

(4) Where any company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is subsidiary, the Court shall not direct the subsidiary company to be wound up unless, after hearing all objections (if any) that may be urged by or on behalf of the company against its being wound up, the Court is of opinion that the company is subsidiary to the principal company, and that the winding up of the company in conjunction with the principal company is just and equitable.

(5) An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, the principal or subsidiary company.

(6) Where a company stands in the relation of a principal company to one company, and in the relation of a subsidiary company to some other company, or where there are several companies standing in the relation of subsidiary companies to one principal company, the Court may deal with any number of such companies together or in separate groups, as it thinks most expedient, upon the principles laid down in this section.

Valuation of annuities and policies.

17.—(1) Where an assurance company is being wound up by the Court, or subject to the supervision of the Court, or voluntarily, the value of a policy of any class or of a liability under such a policy requiring to be valued in such winding up shall be estimated in manner applicable to policies and liabilities of that class provided by the Sixth Schedule to this Act.

(2) The rules in the Sixth and Seventh Schedules to this Act shall be of the same force, and may be repealed, altered, or amended, as if they were rules made in pursuance of section two hundred and thirty-eight of the Companies (Consolidation) Act, 1908, and rules may be made under that section for the purpose of carrying into effect the provisions of this Act with respect to the winding up of assurance companies.

Power to Court to reduce contracts.

18. The Court, in the case of an assurance company which has been proved to be unable to pay its debts, may, if it thinks fit, reduce the amount of the contracts of the company upon such terms and subject to such conditions as the Court thinks just, in place of making a winding-up order.

Extension of 8 Edw. 7. c. 69. s. 274, to all assurance companies established outside the United Kingdom.

19. Section two hundred and seventy-four of the Companies (Consolidation) Act, 1908 (which contains provisions as to companies incorporated outside the United Kingdom), shall apply to every assurance company constituted outside the United Kingdom which carries on assurance business within the United Kingdom, whether incorporated or not.

Custody and inspection of documents deposited with Board of Trade.

20. The Board of Trade may direct any documents deposited with them under this Act, or certified copies thereof, to be kept by the registrar or by any other officer of the Board of Trade; and any such documents and copies shall be open to inspection, and copies thereof may be procured by any person on payment of such fees as the Board of Trade may direct.

Evidence of documents.

21.—(1) Every document deposited under this Act with the Board of Trade, and certified by the registrar or by any person appointed in that behalf by the President of the Board of Trade to be a document so deposited, shall be deemed to be a document so deposited.

(2) Every document purporting to be certified by the registrar, or by any person appointed in that behalf by the President of the Board of Trade, to be a copy of a document so deposited shall be deemed to be a copy of that document, and shall be received in evidence as if it were the original document, unless some variation between it and the original document be proved.

Alteration of forms.

22. The Board of Trade may, on the application or with the consent of an assurance company, alter the forms contained in the schedules to this Act as respects that company, for the purpose of adapting them to the circumstances of that company.

Penalty for non-compliance with Act.

23. Any assurance company which makes default in complying with any of the requirements of this Act shall be liable

to a penalty not exceeding one hundred pounds, or, in the case of a continuing default, to a penalty not exceeding fifty pounds for every day during which the default continues, and every director, manager, or secretary, or other officer or agent of the company who is knowingly a party to the default shall be liable to a like penalty; and, if default continue for a period of three months after notice of default by the Board of Trade (which notice shall be published in one or more newspapers as the Board of Trade may, upon the application of one or more policy holders or shareholders, direct), the default shall be a ground on which the Court may order the winding up of the company, in accordance with the Companies (Consolidation) Act, 1908.

Penalty for falsifying statements, &c

24. If any account, balance sheet, abstract, statement, or other document required by this Act is false in any particular to the knowledge of any person who signs it, that person shall be guilty of a misdemeanour and shall be liable on conviction on indictment to fine and imprisonment, or on summary conviction to a fine not exceeding fifty pounds.

Recovery and application of penalties.

25. Every penalty imposed by this Act shall be recovered and applied in the same manner as penalties imposed by the Companies (Consolidation) Act, 1908, are recoverable and applicable.

Service of notices

26. Any notice which is by this Act required to be sent to any policy holder may be addressed and sent to the person to whom notices respecting such policy are usually sent, and any notice so addressed and sent shall be deemed and taken to be notice to the holder of such policy:

Provided that where any person claiming to be interested in a policy has given to the company notice in writing of his interest, any notice which is by this Act required to be sent to policy holders shall also be sent to such person at the address specified by him in his notice.

Accounts, &c to be laid before Parliament.

27. The Board of Trade shall lay annually before Parliament the accounts, balance sheets, abstracts, statements, and other documents under this Act, or purporting to be under this Act, deposited with them during the preceding year, except reports on the affairs of assurance companies submitted to the shareholders or policy holders thereof, and may append to such accounts, balance sheets, abstracts, statements, or other documents any note of the Board of Trade thereon, and any correspondence in relation thereto.

Savings.

28.—(1) This Act shall not affect the National Debt Commissioners or the Postmaster-General, acting under the authorities vested in them respectively by the Government Annuities Acts, 1829 to 1888, and the Post Office Savings Bank Acts, 1861 to 1908.

(2) This Act shall not apply to a member of Lloyd's, or of any other association of underwriters approved by the Board of Trade, who carries on assurance business of any class, provided

that he complies with the requirements set forth in the Eighth Schedule to this Act, and applicable to business of that class.

(3) Save as otherwise expressly provided by this Act, nothing in this Act shall apply to assurance business of any class other than one of the classes specified in section one of this Act, and a policy shall not be deemed to be a policy of fire insurance by reason only that loss by fire is one of the various risks covered by the policy.

Interpretation.

29. In this Act, unless the context otherwise requires,—

The expression "chairman" means the person for the time being presiding over the board of directors or other governing body of the assurance company;

The expression "annuities on human life" does not include superannuation allowances and annuities payable out of any fund applicable solely to the relief and maintenance of persons engaged or who have been engaged in any particular profession, trade, or employment, or of the dependants of such persons;

The expression "policy holder" means the person who for the time being is the legal holder of the policy for securing the contract with the assurance company;

The expression "underwriter" includes any person named in a policy or other contract of insurance as liable to pay or contribute towards the payment of the sum secured by such policy or contract;

The expression "financial year" means each period of twelve months at the end of which the balance of the accounts of the assurance company is struck, or, if no such balance is struck, then the calendar year;

The expression "Court" means the High Court of Justice in England, except that in the case of an assurance company registered or having its head office in Ireland it means, in the provisions of this Act, the High Court of Justice in Ireland, and in the case of an assurance company registered or having its head office in Scotland it means, in the provisions of this Act other than those relating to deposits, the Court of Session, in either division thereof;

The expression "Companies Acts" includes the Companies (Consolidation) Act, 1908, and any enactment repealed by that Act;

The expression "registrar" means the Registrar of Joint Stock Companies;

The expression "actuary" means an actuary possessing such qualifications as may be prescribed by rules made by the Board of Trade;

The expression "Gazette" means the London, Edinburgh, or Dublin Gazette, as the case may be.

APPLICATION TO SPECIAL CLASSES OF BUSINESS.

Application to life assurance companies.

30. Where a company carries on life assurance business, this Act shall apply with respect to that business, subject to the following modifications :—

(*a*) "Policy on human life" shall mean any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life ;

(*b*) Where the company grant annuities upon human life, "policy" shall include the instrument evidencing the contract to pay such an annuity, and "policy holder" includes annuitant ;

(*c*) The obligation to deposit and keep deposited the sum of twenty thousand pounds shall apply notwithstanding that the company has previously made and withdrawn its deposit, or been exempted from making any deposit under any enactment hereby repealed ;

(*d*) Where the company intends to amalgamate with or to transfer its life assurance business to another assurance company, the Court shall not sanction the amalgamation or transfer in any case in which it appears to the Court that the life policy holders representing one-tenth or more of the total amount assured in the company dissent from the amalgamation or transfer ;

(*e*) Nothing in this Act providing that the life assurance fund shall not be liable for any contracts for which it would not have been liable had the business of the company been only that of life assurance shall affect the liability of that fund, in the case of a company established before the ninth day of August eighteen hundred and seventy, for contracts entered into by the company before that date ;

(*f*) In the case of a company carrying on life assurance business and established before the ninth day of August eighteen hundred and seventy, by the terms of whose deed of settlement the whole of the profits of all the business carried on by the company are paid exclusively to the life policy holders, and on the face of whose life policies the liability of the life assurance fund in respect of the other business distinctly appears, such of the provisions of this Act as require the separation of funds, and exempt the life assurance fund from liability for contracts to which it would not have been liable had the business of the company been only that of life assurance, shall not apply ;

(*g*) Any business carried on by an assurance company which under the provisions of any special Act relating to that company is to be treated as life assurance business shall continue to be so treated, and shall not be deemed to be other business or a separate class of assurance business within the meaning of this Act;

(*h*) In the case of a mutual company whose profits are allocated to members wholly or mainly by annual abatements of premium, the abstract of the report of the actuary on the financial condition of the company, prepared in accordance with the Fourth Schedule to this Act, may, notwithstanding anything in section five of this Act, be made and returned at intervals not exceeding five years, provided that, where such return is not made annually, it shall include particulars as to the rates of abatement of premiums applicable to different classes or series of assurances allowed in each year during the period which has elapsed since the previous return under the Fourth Schedule.

Application to fire insurance companies.

31. Where a company carries on fire insurance business, this Act shall apply with respect to that business, subject to the following modifications:—

(*a*) It shall not be necessary for the company to prepare any statement of its fire insurance business in accordance with the Fourth and Fifth Schedules to this Act:

(*b*) Such of the provisions of this Act as relate to deposits to be made under this Act shall not apply with respect to the fire insurance business carried on by the company if the company has commenced to carry on that business within the United Kingdom before the passing of this Act:

(*c*) Such of the provisions of this Act as relate to deposits to be made under this Act shall not apply where the company is an association of owners or occupiers of buildings or other property which satisfies the Board of Trade that it is carrying on, or is about to carry on, business wholly or mainly for the purpose of the mutual insurance of its members against damage by or incidental to fire caused to the houses or other property owned or occupied by them:

(*d*) It shall not be necessary to make a deposit in respect of fire insurance business where the company has made a deposit in respect of any other class of assurance business, and, where a company, having made a deposit in respect of fire insurance business, commences to carry on life assurance business or employers' liability insurance business, the company may transfer the deposit so made to the account of that other business, and after such transfer the deposit shall be treated as if it had been made in respect of such other business:

(*e*) So much of this Act as requires an assurance company transacting other business besides assurance business, or more than one class of assurance business, to keep separate funds into which all receipts in respect of the assurance business or of each class of assurance business are to be paid shall not apply as respects fire insurance business:

(*f*) The provisions of this Act with respect to the amalgamation of companies shall not apply where the only classes of assurance business carried on by both of the companies are fire insurance business, or fire insurance business and accident insurance business, and the provisions of this Act with respect to the transfer of assurance business from one company to another shall not apply to fire insurance business.

Application to accident insurance companies.

32. Where a company carries on accident insurance business, this Act shall apply with respect to that business, subject to the following modifications:—

(*a*) In lieu of the provisions of sections five and six of this Act the following provisions shall be substituted:—

"The company shall annually prepare a statement of its accident insurance business in the form set forth in the Fourth Schedule to this Act and applicable to accident insurance business, and the statement shall be printed, signed, and deposited at the Board of Trade in accordance with section seven of this Act":

(*b*) Such of the provisions of this Act as relate to deposits to be made under this Act shall not apply with respect to the accident insurance business carried on by the company if the company has commenced to carry on that business in the United Kingdom before the passing of this Act:

(*c*) It shall not be necessary to make or keep a deposit in respect of accident insurance business where the company has made a deposit in respect of any other class of assurance business, and, where a company, having made a deposit in respect of accident insurance business, commences to carry on life assurance business or employers' liability insurance business, the company may transfer the deposit so made to the account of that other business, and after such transfer the deposit shall be treated as if it had been made in respect of such other business:

(*d*) So much of this Act as requires an assurance company transacting other business besides assurance business, or more than one class of assurance business, to keep separate funds into which all receipts in respect of the assurance business or of each class of assurance business are to be paid shall not apply as respects accident insurance business:

(*e*) The provisions of this Act with respect to the amalgamation of companies shall not apply where the only classes of assurance business carried on by both of the companies are accident insurance business, or accident insurance business and fire insurance business, and the provisions of this Act with respect to the transfer of assurance business from one company to another shall not apply to accident insurance business:

(*f*) The expression "policy" includes any policy under which there is for the time being an existing liability already accrued, or under which a liability may accrue:

(*g*) Where a sum is due, or a weekly or other periodical payment is payable, under any policy, the expression "policy holder" includes the person to whom the sum is due or the weekly or other periodical payment payable.

Application to employers' liability insurance companies.

33.—(1) Where a company carries on employers' liability insurance business, this Act shall apply with respect to that business, subject to the following modifications:—

(*a*) This Act shall not apply where the company is an association of employers which satisfies the Board of Trade that it is carrying on, or is about to carry on, business wholly or mainly for the purpose of the mutual insurance of its members against liability to pay compensation or damages to workmen employed by them, either alone or in conjunction with insurance against any other risk incident to their trade or industry:

(*b*) This Act shall not apply where the company carries on the employers' liability insurance business as incidental only to the business of marine insurance by issuing marine policies, or policies in the form of marine policies, covering liability to pay compensation or damages to workmen as well as losses incident to marine adventure or adventure analogous thereto:

(*c*) In lieu of the provisions of sections five and six of this Act the following provisions shall be substituted:—

"The company shall annually prepare a statement of its employers' liability insurance business in the form set forth in the Fourth Schedule to this Act and applicable to employers' liability insurance business, and shall cause an investigation of its estimated liabilities to be made by an actuary so far as may be necessary to enable the provisions of that form to be complied with, and the statement shall be printed, signed, and deposited at the Board of Trade in accordance with section seven of this Act":

(*d*) Such of the provisions of this Act as relate to deposits to be made under this Act shall not apply with respect to the employers' liability insurance business carried on by a company where the company had commenced

to carry on that business within the United Kingdom before the twenty-eighth day of August nineteen hundred and seven:

(*e*) As soon as the employers' liability fund set apart and secured for the satisfaction of the claims of policy holders of that class amounts to forty thousand pounds, the Paymaster-General shall, if the company has made a deposit in respect of any other class of assurance business, return to the company the money deposited in respect of its employers' liability insurance business, and it shall not thereafter be necessary for the company to keep any sum deposited in respect of that business, so long as the sum deposited in respect of any other class of assurance business is kept deposited:

(*f*) Where money is paid into a county court under the provisions of the Eighth Schedule to this Act, the court shall (unless the court for special reason sees fit to direct otherwise) order the lump sum to be invested or applied in the purchase of an annuity or otherwise, in such manner that the duration of the benefit thereof may, as far as possible, correspond with the probable duration of the incapacity:

(*g*) The expression "policy" includes any policy under which there is for the time being an existing liability already accrued, or under which any liability may accrue:

(*h*) Where any sum is due, or a weekly payment is payable, under any policy, the expression "policy holder" includes the person to whom the sum is due or the weekly payment payable:

(*i*) If the company carries on employers' liability insurance business outside the United Kingdom, that business shall not be treated as part of the employers' liability insurance business carried on by the company for the purposes of this Act.

(2) In the application of this section to Scotland the expression "county court" means sheriff court.

Application to bond investment companies.

34. Where a company carries on bond investment business, this Act shall apply with respect to that business, subject to the following modifications:—

(*a*) The expression "policy" includes any bond, certificate, receipt, or other instrument evidencing the contract with the company, and the expression "policy holder" means the person who for the time being is the legal holder of such instrument:

(*b*) Such of the provisions of this Act as relate to deposits shall not apply with respect to the bond investment business carried on by the company, if the company has commenced to carry on that business in the United Kingdom before the passing of this Act:

(*c*) As soon as the bond investment fund set apart and secured for the satisfaction of the claims of the policy holders of that class amounts to forty thousand pounds, the Paymaster-General shall, if the company has made a deposit in respect of any other class of assurance business, return to the company the money deposited in respect of its bond investment business, and it shall not thereafter be necessary for the company to keep any sum deposited in respect of that business, so long as the sum deposited in respect of any other class of business is kept deposited:

(*d*) The first statement of the bond investment business of the company shall be deposited at the Board of Trade on or before the thirtieth day of June nineteen hundred and eleven:

(*e*) The company shall not give the holder of any policy issued after the passing of this Act any advantage dependent on lot or chance, but this provision shall not be construed as in anywise prejudicing any question as to the application to any such transaction, whether in respect of a policy issued before or after the passing of this Act, of the law relating to lotteries.

Power of Board of Trade to exempt unregistered trade unions and friendly societies.

35. The Board of Trade may, on the application of any unregistered trade union originally established more than twenty years before the commencement of this Act, extend to the trade union the exemption conferred by this Act on registered trade unions, and may on the application of an unregistered friendly society extend to the society the exemption conferred by this Act on registered friendly societies if it appears to the Board, after consulting the Chief Registrar of Friendly Societies, that the society is one to which it is inexpedient that the provisions of this Act should apply.

PROVISIONS AS TO COLLECTING SOCIETIES AND INDUSTRIAL ASSURANCE COMPANIES.

Provisions as to collecting societies and industrial assurance companies.

36.—(1) Amongst the purposes for which collecting societies and industrial assurance companies may issue policies of assurance there shall be included insuring money to be paid for the funeral expenses of a parent, grandparent, grandchild, brother, or sister.

(2) No policy effected before the passing of this Act with a collecting society or industrial assurance company shall be deemed to be void by reason only that the person effecting the policy had not, at the time the policy was effected, an insurable interest in the life of the person assured, or that the name of the person interested, or for whose benefit or on whose account the policy was effected, was not inserted in the policy, or that the insurance was not one authorised by the Acts relating to friendly societies, if the policy was effected by or on account of a person who had at the time a bonâ fide expectation that he would incur expenses in connection with the death or funeral of the assured, and if the sum assured is not unreasonable for the purpose of

covering those expenses, and any such policy shall enure for the benefit of the person for whose benefit it was effected or his assigns.

(3) Any collecting society or industrial insurance company which, after the passing of this Act, issues policies of insurance which are not within the legal powers of such society or company shall be held to have made default in complying with the requirements of this Act; and the provisions of this Act with respect to such default shall apply to collecting societies, industrial insurance companies, and their officers, in like manner as they apply to assurance companies and their officers.

59 & 60 Vict. c. 25.

(4) Without prejudice to the powers conferred by section seventy-one of the Friendly Societies Act, 1896, the committee of management or other governing body of a collecting society having more than one hundred thousand members may petition the court to make an order for the conversion of the society into a mutual company under the Companies (Consolidation) Act, 1908, and the court may make such an order if, after hearing the committee of management, or other governing body, and other persons whom the court considers entitled to be heard on the petition, the court is satisfied, on a poll being taken, that fifty-five per cent. at least of the members of the society over sixteen years of age agree to the conversion; and the court may give such directions as it thinks fit for settling a proper memorandum and articles of association of the company; but, before any such petition is presented to the court, notice of intention to present the petition shall be published in the Gazette, and in such newspapers as the court may direct.

When a collecting society converts itself into a company in accordance with the provisions of this subsection, subsection (3) of section seventy-one of the Friendly Societies Act, 1896, shall apply in like manner as if the conversion were effected under that section.

59 & 60 Vict. c. 26.

(5) In this section the expressions "collecting society" and "industrial assurance company" have the same meanings as in the Collecting Societies and Industrial Assurance Companies Act, 1896.

SUPPLEMENTAL.

Repeal.

37. The enactments mentioned in the Ninth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that nothing in this repeal shall affect any investigation made, or any statement, abstract, or other document deposited, under any enactment hereby repealed, but every such investigation shall be deemed to have been made and every such document prepared and deposited under this Act.

Short title and commencement.

38.—(1) This Act may be cited as the Assurance Companies Act, 1909.

(2) This Act shall come into operation on the first day of July nineteen hundred and ten, except that as respects section thirty-six it shall come into operation on the passing thereof.

SCHEDULES.

FIRST SCHEDULE.

N.B.—Where marine insurance business or sinking fund or capital redemption insurance business is carried on, the income and expenditure thereof to be stated in like manner in separate accounts. Any additional businesses (including employers' liability insurance business transacted out of the United Kingdom) to be shown in a separate inclusive general account.

(A.)—*Form applicable to Life Assurance Business.*

Revenue Account of the _____ for the Year ending _____ in respect of Life Assurance Business.

	Business within the United Kingdom.	Business out of the United Kingdom.	Total.
	£ s. d.	£ s. d.	£ s. d.
Amount of life assurance fund at the beginning of the year	—	—	
Premiums :—			
Consideration for annuities granted			
Interest, dividends, and rents			
Less income tax thereon	—	—	
Other receipts (accounts to be specified)	—	—	
£			

	Business within the United Kingdom.	Business out of the United Kingdom.	Total.
	£ s. d.	£ s. d.	£ s. d.
Claims under policies paid and outstanding :—			
By death			
By maturity			
Surrenders, including surrenders of bonus			
Annuities			
Bonuses in cash			
Bonuses in reduction of premiums			
Commission			
Expenses of management	—	—	
Other payments (accounts to be specified)	—	—	
Amount of life assurance fund at the end of the year, as per Third Schedule	—	—	
£			

NOTE 1.—Companies having separate accounts for annuities to return the particulars of their annuity business in a separate statement.

NOTE 2.—Companies having both Ordinary and Industrial branches to return the particulars of the business in each department separately.

NOTE 3.—Items in this Account to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the Company's risks.

NOTE 4.—If any sum has been deducted from the expenses of management account, and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Account.

NOTE 5.—Particulars of the new life assurances effected during the year of account to be appended to the above Account showing separately, as respects business within and business out of the United Kingdom, the number of policies, the total sums assured, the amount received by way of single premiums, and the amount of the yearly renewal premium income, the items to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the company's risks. The particulars as to yearly renewal premium income need not be furnished in respect of Industrial business.

NOTE 6.—The columns headed "Business out of the United Kingdom," in the case of companies having their head office in the United Kingdom, apply only to business secured through Branch Offices or Agencies out of the United Kingdom.

(B.)—*Form applicable to Fire Insurance Business.*

Revenue Account of the _____ for the Year ending _____ 19___ in respect of Fire Insurance Business.

	£ s. d.	£ s. d.		£ s. d.
Amount of fire insurance fund at the beginning of the year:—			Claims under policies paid and outstanding -	
Reserve for unexpired risks -			Commission - - - - - - - -	
Additional reserve (if any) -			Expenses of management - - - -	
			Contributions to fire brigades - - -	
Premiums - - - - - - - - -			Other payments (accounts to be specified) -	
	£ s. d.			£ s. d.
Interest, dividends, and rents -			Amount of fire insurance fund at the end of the year as per Third Schedule:—	
Less income tax thereon -			Reserve for unexpired risks being per cent. of premium income for the year - - - - - -	
Other receipts (accounts to be specified) - -			Additional reserve (if any) -	
	£			£

NOTE 1.—Items in this Account to be the net amounts after deduction of the amounts paid and received in respect of re-insurances of the Company's risks.

NOTE 2.—If any sum has been deducted from the Expenses of management account, and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Account.

(C.)—*Form applicable to Accident Insurance Business.*

Revenue Account of the _____ for the Year ending _____ 19___ in respect of Accident Insurance Business.

	£ s. d.	£ s. d.		£ s. d.
Amount of accident insurance fund at the beginning of the year:—			Payments under policies, including medical and legal expenses in connection therewith -	
Reserve for unexpired risks -			Commission - - - - - - - -	
Total estimated liability in respect of outstanding claims - - - -			Expenses of management - - - -	
Additional reserve (if any) -			Other payments (accounts to be specified) -	
Premiums—			£ s. d.	
	£ s. d.		Amount of accident insurance fund at the end of the year as per Third Schedule:—	
Interest, dividends, and rents -			Reserve for unexpired risks being per cent. of premium income for the year - - - -	
Less income tax thereon -			Total estimated liability in respect of outstanding claims as per Fourth Schedule (C) - - -	
			Additional reserve (if any) -	
Other receipts (accounts to be specified) -				
	£			£

NOTE 1.—Items in this Account to be the net amounts after deduction of the amounts paid and received in respect of re-insurances of the Company's risks.

NOTE 2.—If any sum has been deducted from the expenses of management account, and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Account.

(D.)—*Form applicable to Employers' Liability Insurance Business.*

Revenue Account of the_____for the Year ending_____19____in respect of Employers' Liability Insurance Business transacted within the United Kingdom.

	£ s. d.	£ s. d.		£ s. d.
Amount of employers' liability insurance fund at the beginning of the year.—			Payments under policies, including medical and legal expenses in connection therewith -	
Reserve for unexpired risks -			Commission - - - - - - - -	
Total estimated liability in respect of outstanding claims - - - -			Expenses of management - - - -	
Additional reserve (if any) -			Other payments (accounts to be specified) -	
Premiums - - - - - - - -			Amount of employers' liability insurance fund at the end of the year, as per Third Schedule:—	£ s. d.
	£ s. d.		Reserved for unexpired risks, being per cent. of premium income for the year -	
Interest, dividends, and rents -			Total estimated liability in respect of outstanding claims, as per Fourth Schedule (D) - - -	
Less income tax thereon -			Additional reserve (if any) -	
Other receipts (accounts to be specified) - -				£
	£			

NOTE 1.—Items in this Account to be the net amounts after deduction of the amounts paid and received in respect of re-insurances of the Company's risks.

NOTE 2.—If any sum has been deducted from the Expenses of management account, and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Account.

(E.)—*Form applicable to Bond Investment Business.*

Revenue Account of the _____ for the Year ending _____ 19__ in respect of Bond Investment and Endowment Certificate Business.

	£ s. d.	£ s. d.		£ s. d.
Amount of Bond Investment and Endowment Certificate Fund at the beginning of the year -			Claims under bonds and certificates, paid and outstanding - - - - - - -	
Additional reserve (if any) - -			Commission - - - - - - - -	
Premiums - - - - - - - - -			Expenses of management - - -	
	£ s. d.		Other payments (accounts to be specified) - -	
Interest, dividends, and rents -				£ s. d.
Less income tax thereon - -			Amount of Bond Investment and Endowment Certificate Fund at the end of the year as per Third Schedule - - - - -	
Other receipts (accounts to be specified) -			Additional reserve (if any) - -	
	£			£

NOTE 1.—Items in this Account to be the net amounts after deduction of the amounts paid and received in respect of re-insurances of the Company's risks.

NOTE 2.—If any sum has been deducted from the Expenses of management account, and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Account.

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Section 4.

SECOND SCHEDULE.

PROFIT AND LOSS ACCOUNT OF THE FOR THE YEAR ENDING 19

	£ s. d.	£ s. d.		£ s. d.
Balance of last year's account			Dividends and bonuses to shareholders	
Interest and dividends not carried to other accounts	£ s. d.		Expenses not charged to other accounts	
Less income tax thereon			Loss realised (accounts to be specified)	
Profit realised (accounts to be specified)			Other payments (accounts to be specified)	
Other receipts (accounts to be specified)			Balance as per Third Schedule	
	£			£

Section 4.

THIRD SCHEDULE.

Balance Sheet of the _____ on the _____ 19____.

LIABILITIES.	£ s. d.	£ s. d.
Shareholders' capital paid up (if any)	£	
Life assurance funds* :—		
Ordinary branch		
Industrial do.		
Annuity fund*		
Fire insurance fund		
Accident insurance fund		
Employers' liability insurance fund		
Bond investment and endowment certificate fund		
Marine insurance fund		
Sinking fund and capital redemption fund		
Profit and loss account		
Other funds (if any) to be specified		
	£	
Claims admitted or intimated but not paid†		
Life assurance		
Fire insurance		
Bond investment		
Annuities due and unpaid†		
Other sums owing by the Company† (to be stated separately under each class of business).		
	£	

ASSETS.	£ s. d.
Mortgages on property within the United Kingdom	
Do. do. out of the United Kingdom	
Loans on parochial and other public rates	
Do. Life interests	
Do. Reversions	
Do. Stocks and shares	
Do. Company's policies within their surrender values	
Do. Personal security	
Investments :	
Deposit with the High Court (securities to be specified)	
British Government securities	
Municipal and county securities, United Kingdom	
Indian and Colonial Government securities	
Do. provincial securities	
Do. municipal do.	
Foreign Government securities	
Do. provincial securities	
Do. municipal do.	
Railway and other debentures and debenture stocks—Home and Foreign	
Do. do. preference and guaranteed stocks	
Do. ordinary stocks	
Rent charges	
Freehold ground rents	
Leasehold do.	
House property	
Life interests	
Reversions	
Agents' balances	
Outstanding premiums†	
Do. interest, dividends, and rents†	
Interest accrued but not payable†	
Bills receivable	
Cash :	
On deposit	
In hand and on current account	
Other assets (to be specified)	
	£

R 2

* Life companies having separate annuity fund to show amount thereof separately.

† These items are or have been included in the corresponding items in the First Schedule.

NOTE 1.—When part of the assets of the company are specifically deposited, under local laws, in various places out of the United Kingdom, as security to holders of policies there issued, each such place and the amount compulsorily lodged therein must be specified in respect of each class of business, except that, in the case of fire, accident, or employers' liability insurance business, it shall be sufficient to state the fact that a part of the assets has been so deposited.

NOTE 2.—A Balance Sheet in the above form must be rendered in respect of each separate fund for which separate investments are made.

NOTE 3.—The Balance Sheet must state how the values of the Stock Exchange securities are arrived at, and a certificate must be appended, signed by the same persons as sign the Balance Sheet, to the effect that in their belief the assets set forth in the Balance Sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account. In the case of a company transacting life assurance business or bond investment business, this certificate is to be given on the occasions only when a statement respecting valuation under the Fourth Schedule is made.

NOTE 4.—In the case of a company required to keep separate funds under section 3 of this Act, a certificate must be appended, signed by the same persons as signed the Balance Sheet and by the auditor, to the effect that no part of any such fund has been applied, directly or indirectly, for any purpose other than the class of business to which it is applicable.

Sections 5, 30, 32 and 33.

FOURTH SCHEDULE.

N.B.—Where sinking fund or capital redemption insurance business is carried on, a separate statement signed by the actuary must be furnished, showing the total number of policies valued, the total sums assured, and the total office yearly premiums, and also showing the total net liability in respect of such business and the basis on which such liability is calculated.

(A.)—*Form applicable to Life Assurance Business.*

STATEMENT respecting the VALUATION of the LIABILITIES under LIFE POLICIES and ANNUITIES of the , to be made and signed by the ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.

2. The general principles adopted in the valuation, and the method followed in the valuation of particular classes of assurances, including a statement of the method by which the net premiums have been arrived at, and whether these principles were determined by the instrument constituting the company, or by its regulations or byelaws, or how otherwise; together with a statement of the manner in which policies on under average lives are dealt with.

3. The table or tables of mortality used in the valuation. In cases where the tables employed are not published, specimen policy values are to be given, at the rate of interest employed in the valuation, in respect of whole-life assurance policies effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for five years, ten years, and upwards at intervals of five years respectively; with similar specimen policy values in respect of endowment assurance policies, according to age at entry, original term of policy, and duration.

4. The rate or rates of interest assumed in the calculations.

5. The actual proportion of the annual premium income, if any, reserved as a provision for future expenses and profits, separately specified in respect of assurances with immediate profits, with deferred profits, and without profits. (If none, state how this provision is made.)

6. The consolidated revenue account since the last valuation, or, in case of a company which has made no valuation, since the commencement of the business. (This return should be made in the form annexed. No return under this heading will be required where a statement under this schedule is deposited annually.)

7. The liabilities of the company under life policies and annuities at the date of the valuation, showing the number of policies, the amount assured, and the amount of premiums payable annually under each class of policies, both with and without participation in profits; and also the net liabilities and assets of the company, with the amount of surplus or deficiency. (These returns to be made in the forms annexed.)

8. The principles upon which the distribution of profits among the shareholders and policy holders is made, and whether these principles were determined by the instrument constituting the company or by its regulations or byelaws or how otherwise, and the number of years' premiums to be paid before a bonus (*a*) is allotted, and (*b*) vests.

9. The results of the valuation, showing—

(1) The total amount of profit made by the company, allocated as follows :—

(*a*) Among the policy holders with immediate participation, and the number and amount of the policies which participated ;

(*b*) Among policy holders with deferred participation, and the number and amount of the policies which participated ;

(*c*) Among the shareholders ;

(*d*) To reserve funds, or other accounts ;

(*e*) Carried forward unappropriated.

(2) Specimens of bonuses allotted to whole-life assurance policies for 100*l.* effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for five years, ten years, and upwards at intervals of five years respectively, together with the amounts apportioned under the various modes in which the bonus might be received ; with similar specimen bonuses and particulars in respect of endowment assurance policies, according to age at entry, original term of policy, and duration.

Note.—Separate statements to be furnished throughout in respect of Ordinary and Industrial business respectively, the basis of the division being stated.

(FORM referred to under Heading No. 6 in Fourth Schedule (A).)

Consolidated Revenue Account of the _____ for _____ years commencing _____ and ending _____.

	£ s. d.		£ s. d.
Amount of life assurance fund at the beginning of the period		Claims under policies paid and outstanding	
Premiums		By death	
Consideration for annuities granted		By maturity	
Interest, dividends, and rents		Surrenders	
Less income tax thereon		Annuities	
Other receipts (accounts to be specified)		Bonuses in cash	
		„ „ reduction of premiums	
		Commission	
		Expenses of management	
		Other payments (accounts to be specified)	
		Amount of life assurance fund at the end of the period, as per Third Schedule	
£		£	

NOTE.—If any sum has been deducted from the expenses of management account and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Statement.

(FORM referred to under Heading No. 7 in Fourth Schedule (A).)

SUMMARY and VALUATION of the POLICIES of the _____ as at _____ 19 __.

Description of Transactions.	Particulars of the POLICIES for Valuation.				VALUATION.			
					Value by the Table, Interest per cent.			
	Number of Policies.	Sums assured and Bonuses.	Office Yearly Premiums.	Net Yearly Premiums.	Sums assured and Bonuses.	Office Yearly Premiums.	Net Yearly Premiums.	Net Liability.
ASSURANCES.								
I.—With immediate participation in profits.								
For whole term of life								
Other classes (to be specified)								
Extra premiums payable								
II.—With deferred participation in profits.								
For whole term of life								
Other classes (to be specified)								
Extra premiums payable								
Total assurances with profits								
III.—Without participation in profits.								
For whole term of life								
Other classes (to be specified)								
Extra premiums payable								
Total assurances without profits								
Total assurances								
Deduct re-assurances (to be specified according to class in a separate statement)								
Net amount of assurances								
Adjustments, if any (to be separately specified)								
ANNUITIES ON LIVES.								
Immediate								
Other classes (to be specified)								
Total of the results								

NOTE 1.—The term "extra premium" in this Act shall be taken to mean the charge for any risk not provided for in the minimum contract premium. If policies are issued in or for any country at rates of premium deduced from tables other than the European mortality tables adopted by the company, separate schedules similar in form to the above must be furnished.

NOTE 2.—Separate returns and valuation results must be furnished in respect of classes of policies valued by different tables of mortality, or at different rates of interest, also for business at other than European rates.

NOTE 3.—In cases also where separate valuations of any portion of the business are required under local laws in places outside the United Kingdom, a summary statement must be furnished in respect of the business so valued in each such place showing the total number of policies, the total sums assured and bonuses, the total office yearly premiums, and the total net liability on the bases as to mortality and interest adopted in each such place, with a statement as to such bases respectively.

(FORM referred to under Heading No. 7 in Fourth Schedule (A).)

VALUATION BALANCE SHEET of _____ as at _____ 19__.

Dr.	£	Cr.	£
To net liability under Life Assurance and Annuity transactions (as per summary statement provided in Fourth Schedule (A))		By Life Assurance and Annuity funds (as per balance sheet under Schedule 3)	
To surplus, if any		By deficiency, if any	

(C.)—*Form applicable to Accident Insurance Business.*

STATEMENT of the ESTIMATED LIABILITY in respect of OUTSTANDING CLAIMS arising in the year of Account, and in the preceding year or years; computed as at the end of the year in which the claims arose, and as at the end of the year of Account; with particulars as to the number and amount of the claims actually paid in the intervening period.

I.—Claims arising during the year of account ending 19

(*a*) Particulars as to Claims arising, and settled, during the year of Account :—

Class of Claim. (1)	No. of Claims. (2)	Total amount paid. By Sums insured. (3)	Total amount paid. By Weekly Allowance. (4)
(i) Fatal claims - -			
(ii) Non-fatal claims -			
Total - -			

(*b*) Particulars as to Claims arising during and outstanding at the end of the year of Account :—

Class of Claim. (1)	No. of Claims. (2)	Amount paid during Year of Account. (3)	Estimated Liability. (4)
(i) Fatal claims - - - -			
(ii) Non-fatal claims, involving payment of sums insured.			
(iii) Non-fatal claims, involving payment of temporary weekly allowances :—			
With maximum duration, not exceeding 26 weeks.			
With maximum duration exceeding 26 weeks, but not exceeding 52 weeks.			
And so on, at intervals of 26 weeks, up to the longest period over which temporary weekly allowances are granted.			
(iv) Non-fatal claims, involving payment of yearly allowances during permanent total disablement.			
Totals - - - -			

II.—Outstanding Claims which arose during the *first year* preceding the year of account, ending 19 .

Particulars of Claims. (1)	Estimated Liability in respect of Claims Outstanding as at the above Date. (2)		Claims paid during the Period of One Year between the above Date and the End of Year of Account				Estimated Liability in respect of Claims Outstanding as at the End of Year of Account (5)		Totals of Columns (3), (4), and (5) (6)	
			Terminated within such Period (3)		Not terminated within such Period. (4)					
	No.	Amount.	No.	Amount.	No.	Amount	No.	Amount.	No.	Amount
(i) Fatal claims -										
(ii) Non-fatal claims, involving payment of sums insured.										
(iii) Non-fatal claims, involving payment of temporary weekly allowances :—										
With maximum duration not exceeding 26 weeks.										
With maximum duration exceeding 26 weeks, but not exceeding 52 weeks										
And so on, at intervals of 26 weeks, up to the longest period over which temporary weekly allowances are granted.										
(iv) Non-fatal claims, involving payment of yearly allowances during permanent total disablement.										
Totals - -										

NOTE.—If temporary weekly allowances are granted by the Company for periods exceeding 52 weeks, particulars are to be furnished, in a form or forms similar to II. above, showing, in respect of claims involving such extended allowances, the estimated liability as at the end of the year in which such claims arose, and as at the end of the year of account; and the number and amount of such actual claims paid during the intervening period of two (or more) years; distinguishing claims terminated, and not terminated, within such period.

III.—Summary of estimated liability, in respect of claims outstanding as at the end of the year of account—

As per column (4) of Statement I. (*b*) - -	£
" " (5) " " II. - -	
" " (5) of further schedules in the form of Statement II. (if required).	
In respect of yearly allowances during permanent total disablement, outstanding at the end of the year of account, but not included in the above Statements - -	
Total estimated liability, in respect of outstanding claims as at the end of the year of account, as per First Schedule (C.) -	£

(D.)—*Form applicable to Employers' Liability Insurance Business.*

STATEMENT of the ESTIMATED LIABILITY in respect of outstanding CLAIMS arising during each of the Five Years preceding the Year of ACCOUNT, and in such Year; computed as at the end of the Year in which the CLAIMS arose, and as at the end of the Year of ACCOUNT; with Particulars as to the Number and Amount of the CLAIMS actually paid in the intervening Period.

I.—Claims arising during the year of account ending 19 .

(*a*) Particulars as to claims arising and settled during the year of account :—

Class of Claim. (1)	Number. (2)	Amount paid. (3)
		£
Fatal claims - - - -		
Non-fatal claims - - -		
Total - - -		

(*b*) Particulars as to claims arising during, and outstanding at end of, the year of account :—

Class of Claim. (1)	Number. (2)	Amount paid during year of account. (3)	Estimated Liability. (4)
		£	£
Fatal claims - - -			
Non-fatal claims - -			
Total - -			

II.—Outstanding claims which arose during the first year preceding the year of account, ending 19 .

Particulars of Claims (1)	Estimated Liability in respect of Claims outstanding as at the above date (2)		Claims paid during the period of 1 year between the above date and the end of the year of Account (3)		Estimated Liability in respect of Claims outstanding as at the end of the year of Account (4)		Total of Columns (3) and (4). (5)	
	Number	Amount.	Number	Amount.	Number	Amount	Number	Amount
		£		£		£		£
Fatal claims								
Non-fatal claims—								
Terminated					—	—		
Not terminated								
Total								

III.—Outstanding claims which arose during the second year preceding the year of account, ending the 19 .

Particulars of Claims (1)	Estimated Liability in respect of Claims outstanding as at the above date (2)		Claims paid during the period of 2 years between the above date and the end of the year of Account (3)		Estimated Liability in respect of Claims outstanding as at the end of the year of Account (4)		Total of Columns (3) and (4). (5)	
	Number	Amount.	Number	Amount	Number	Amount.	Number.	Amount
		£		£		£		£
Fatal claims								
Non-fatal claims—								
Terminated					—	—		
Not terminated								
Total								

IV.—Outstanding claims which arose during the third year preceding the year of account, ending the 19 .

Particulars of Claims (1)	Estimated Liability in respect of Claims outstanding as at the above date. (2)		Claims paid during the period of 3 years between the above date and the end of the year of Account (3)		Estimated Liability in respect of Claims outstanding as at the end of the year of Account. (4)		Total of Columns (3) and (4) (5)	
	Number	Amount	Number	Amount	Number.	Amount	Number	Amount
		£		£		£		£
Fatal claims								
Non-fatal claims—								
Terminated					—	—		
Not terminated								
Total								

V.—Outstanding claims which arose during the fourth year preceding the year of account, ending the 19 .

Particulars of Claims. (1)	Estimated Liability in respect of Claims outstanding as at the above date. (2)		Claims paid during the period of 4 years between the above date and the end of the year of Account. (3)		Estimated Liability in respect of Claims outstanding as at the end of the year of Account. (4)		Total of Columns (3) and (4). (5)	
	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.
		£		£		£		£
Fatal claims -								
Non-fatal claims—								
Terminated -					—	—		
Not terminated								
Total -								

VI.—Outstanding claims which arose during the fifth year preceding the year of account, ending the 19 .

Particulars of Claims. (1)	Estimated Liability in respect of Claims outstanding as at the above date. (2)		Claims paid during the period of 5 years between the above date and the end of the year of Account. (3)		Estimated Liability (included in Statement VII. and valued by the method there specified) in respect of Claims outstanding as at the end of the year of Account. (4)		Total of Columns (3) and (4). (5)	
	Number.	Amount.	Number.	Amount.	Number.	Amount.	Number.	Amount.
		£		£		£		£
Fatal claims -								
Non-fatal claims—								
Terminated -					—	—		
Not terminated								
Total -								

NOTE.—In cases where the date at which the estimated liability required under column (2) in Forms IV., V. and VI. above would fall in any year prior to 1908, such estimated liability is to be returned as at the end of the year of account terminated in 1908, and the claims paid, required under column (3) of such forms, are to be in respect of the period between the end of the year of account terminated in 1908 and the end of the year of account rendered.]

VII.—Statement respecting claims of five years' duration and upwards outstanding as at the end of the year of account. (To be made and signed by an actuary.)

(1) The number of claims incumbent and having durations of five years and upwards as at the end of the year of account, including those separately returned under Form VI. above; and the amount of the weekly payment, and of the annual payment, due in respect of such claims; separately stated in respect of each year of life of the workmen,

from the youngest to the oldest. (These particulars to be returned under columns (1) to (4) of the tabular statement given below.)

(2) The estimated liability in respect of the claims specified above, computed, as at the end of the year of account, on the basis of the amount which would be required to purchase from the National Debt Commissioners, through the Post Office Savings Bank, an immediate life annuity for the workmen equal to 75 per cent. of the value of the weekly payment, according to the sex and true age of the workers. (These particulars to be returned under column (5) of the tabular statement given below, in respect of each year of life of the workmen, from the youngest to the oldest.)

(3) If the estimated liability, as reserved under the First Schedule in respect of the claims specified above, is computed on any basis other than that specified under Heading No. (2) above, the whole of the particulars required under Headings (1) and (2) above are to be returned in columns (1) to (5) of the tabular statement given below, together with the following additional particulars :—

(i) If the estimated liability is determined on the basis of the value of an immediate life annuity :—

(*a*) The table of mortality upon which such life annuity values are based ;

(*b*) The rate of interest at which such life annuity values are computed ;

(*c*) Whether such life annuity values are discriminated according to the sex of the workers ;

(*d*) The proportion of such life annuity values representing the estimated liability ;

(*e*) The modifications (if any) made in the true ages of the workmen, in deducing the estimated liability ;

(*f*) The amount of the estimated liability. (To be returned, in respect of each year of life, in column (6) of the tabular statement given below.)

(ii) If the estimated liability is not determined on the basis of the value of an immediate life annuity, full particulars are to be specified as to the precise method adopted in deducing such estimated liability, and the total amount of estimated liability is to be returned under column (6) of the tabular statement given below.

Number of Claims	Ages of the Workmen as at the end of the Year of Account.	Amount of Weekly Payment.	Amount of Annual Payment.	Estimated Liability computed on Basis of 75 per Cent. of Value of Life Annuity purchased through the Post Office	Estimated Liability, if computed on Basis other than that specified in Column 5
(1)	(2)	(3)	(4)	(5)	(6)

NOTE.—Separate particulars to be furnished in respect of male and female workers.

Summary of estimated liability in respect of outstanding claims as at the end of the year of account—

	£
As per column (4) of Statement I (*b*) - - -	
" " (4) " II - - - -	
" " (4) " III - - - -	
" " (4) " IV - - - -	
" " (4) " V - - - -	
" " (5) or (6) " VII - - - -	
Total estimated liability in respect of outstanding claims as at the end of the year of account as per First Schedule (D) - - -	£

(E.)—*Form applicable to Bond Investment Business.*

STATEMENT respecting the VALUATION of the LIABILITY under BONDS and ENDOWMENT CERTIFICATES of the to be made and signed by the ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.

2. The principles adopted in the valuation of the liabilities under bond investment policies and endowment certificates, and whether these principles were determined by the instrument constituting the company, or by its regulations or byelaws, or how otherwise.

3. The rate or rates of interest assumed in the calculations.

4. The actual proportion of the annual income from contributions, if any, reserved as a provision for future expenses and profits. (If none, state how this provision is made.)

5. The consolidated revenue account since the last valuation, or, in the case of a company which has made no valuation, since the commencement of the business. (This return should be made in the form annexed. No return under this heading will be required where the valuation is made annually.)

6. The liabilities of the company under bond investment policies and endowment certificates at the date of the valuation, showing the number of policies or certificates, the amounts assured, the amount of contribution payable annually, and the provision for future expenses and profits; also the net liabilities and assets of the company, with the amount of surplus or deficiency. (These returns should be made in the forms annexed.)

7. The principles upon which the distribution of profits among the bond and certificate holders and shareholders is made, and whether those principles are determined by the instrument constituting the company, or by its regulations or byelaws, or how otherwise, and the time during which a bond investment policy or endowment certificate must be in force to entitle it to share in the profits.

8. The results of the valuation, showing—

(1) The total amount of profit made by the company, allocated as follows:—

(*a*) among participating bond or certificate holders, with the number so participating and the total amount of their bonds or certificates;

(*b*) among the shareholders;

(*c*) to reserve funds, or other accounts;

(*d*) carried forward unappropriated.

(2) Specimens of profit allotted to policies or certificates for 100*l*. effected for different periods, and having been in force for different durations.

(FORM referred to under Heading No. 5 in Fourth Schedule (E).)

CONSOLIDATED REVENUE ACCOUNT of the _____ for _____ Years commencing _____ 19___ and ending _____ 19___.

	£ s. d.	£ s. d.		£ s. d.
Amount of Bond Investment and Endowment Certificate Fund at the beginning of the period			Claims under Bonds and Certificates	
Additional reserve, if any			Commission	
Premiums			Expenses of management	
Interest, dividends, and rents	£ s. d.		Other payments (accounts to be specified)	
Less Income Tax thereon			Amount of Bond Investment and Endowment Certificate Fund at the end of the period, as per Third Schedule	
Other receipts (accounts to be specified)				

NOTE.—If any sum has been deducted for the Expenses of management account and taken credit for in the Balance Sheet as an asset, the sum so deducted to be separately shown in the above Statement

(Forms referred to under Heading No. 6 in Fourth Schedule (E).)

Summary and Valuation of the Bond Investment Policies or Endowment Certificates of the as at 19 .

Description of Transactions.	Particulars of the Policies or Certificates for Valuation.			Valuation (Interest at per cent.).			
	No. of Policies.	Sums Assured and Bonuses (if any).	Full Yearly Premiums.	Value of Sums Assured and Bonuses (if any).	Value of Full Yearly Premiums.	Provisions for future Expenses and Profits.	Net Liability.
With participation in profits.							
Without participation in profits.							
Totals - - -							
Deduct re-assurances (to be specified according to class) -							
Net Totals - -							
Adjustments (if any) -							
Total of the results -							

(FORM referred to under Heading No. 6 in Fourth Schedule (E).)

VALUATION BALANCE SHEET of the as at 19 .

Dr.	£	Cr.	£
To net liability under Bond Investment and Endowment Certificate transactions (as per summary statement provided in Fourth Schedule (E)) -		By Bond Investment and Endowment Certificate Fund (as per balance sheet under Schedule 3) -	
To surplus (if any) - - - - - - - -		By deficiency (if any) - - - - - - -	

FIFTH SCHEDULE.

N.B.—Where sinking fund or capital redemption business is carried on, a separate statement, signed by the actuary, must be furnished showing the total sums assured maturing in each calendar year and the corresponding office premiums. Section 6.

(A.)—*Form applicable to Life Assurance Business.*

STATEMENT of the LIFE ASSURANCE and ANNUITY BUSINESS of the on the 19 , to be signed by the Actuary.

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-assurances corresponding to the statements in respect of assurances are to be given throughout.) Separate statements are to be furnished in the replies to all the headings under this schedule for business at other than European rates. Separate statements are to be also furnished throughout in respect of ordinary and industrial business respectively.

1. The published table or tables of premiums for assurances for the whole term of life and for endowment assurances which are in use at the date above mentioned.

2. The total amount assured on lives for the whole term of life which are in existence at the date above mentioned, distinguishing the portions assured with immediate profits, with deferred profits, and without profits, stating separately the total reversionary bonuses and specifying the sums assured for each year of life from the youngest to the oldest ages, the basis of division as to immediate and deferred profits being stated.

3. The amount of premiums receivable annually for each year of life, after deducting the abatements made by the application of bonuses, in respect of the respective assurances mentioned under Heading No. 2, distinguishing ordinary from extra premiums. A separate statement is to be given of premiums payable for a limited number of years, classified according to the number of years' payments remaining to be made.

4. The total amount assured under endowment assurances, specifying sums assured and office premiums separately in respect of each year in which such assurances will mature for payment. The reversionary bonuses must also be separately specified, and the sums assured with immediate profits, with deferred profits, and without profits, separately returned.

5. The total amount assured under classes of assurance business, other than assurances dealt with under Questions 2 and 4, distinguishing the sums assured under each class, and stating separately the amount assured with immediate profits, with deferred profits, and without profits, and the total amount of reversionary bonuses.

6. The amount of premiums receivable annually in respect of each such special class of assurances mentioned under Heading No. 5, distinguishing ordinary from extra premiums.

7. The total amount of premiums which has been received from the commencement upon pure endowment policies which are in force at the date above mentioned.

8. The total amount of immediate annuities on lives, distinguishing the amounts for each year of life, and distinguishing male and female lives.

9. The amount of all annuities on lives other than those specified under Heading No. 8, distinguishing the amount of annuities payable under each class, and the amount of premiums annually receivable.

10. The average rate of interest yielded by the assets, whether invested or uninvested, constituting the life assurance fund of the company, calculated upon the mean fund of each year during the period since the last investigation, without deduction of income tax.

It must be stated whether or not the mean fund upon which the average rate of interest is calculated includes reversionary investments.

11. A table of minimum values, if any, allowed for the surrender of policies for the whole term of life and for endowments and endowment assurances, or a statement of the method pursued in calculating such surrender values, with instances of the application of such method to policies of different standing and taken out at various interval ages from the youngest to the oldest. In the case of industrial policies, where free or paid up policies are granted in lieu of surrender values, the conditions under which such policies are granted must be stated, with specimens as prescribed for surrender values.

(E.)—*Form applicable to Bond Investment Business.*

STATEMENT of the BOND INVESTMENT BUSINESS of the
on the 19 . (To be signed by the Actuary.)

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-insurances, corresponding to the statements in respect of insurances, are throughout to be given.)

1. The published table or tables of rates of contribution for bond investment policies and endowment certificates which are in use at the date above-mentioned; with full particulars as to the terms and conditions on which advances are made under such policies or certificates, whether on security of house property or land, or otherwise.

2. The total amounts assured under policies or certificates which are in existence at the date above-mentioned, distinguishing the portions insured with and without profits, stating separately the total additions by way of bonus, and specifying such sums insured and bonuses respectively according to the number of complete years unexpired at such date.

3. The amount of premiums receivable annually, in respect of the respective insurances mentioned under Heading No. 2, separately specified according to the number of complete years unexpired at the date above mentioned.

4. The total amount of premiums which have been received from the commencement upon all policies or certificates mentioned under Headings Nos. 2 and 3, separately specified according to the number of complete years unexpired at the date above mentioned.

5. The average rate of interest realised by the assets, whether invested or uninvested, constituting the bond investment and endowment certificate fund of the company, calculated upon the mean fund of each year during the period since the last investigation, without deduction of income tax.

6. Full particulars as to the terms and conditions upon which surrenders of policies and certificates are granted, with specimens of the values allowed in respect of different durations, and different unexpired terms at the date of surrender.

7. Full particulars as to the terms and conditions upon which allowances are made on the death of a policy or certificate holder, with specimen values as required under Heading No. 6.

8. Full particulars as to the terms and conditions upon which transfers of the interest in a policy or certificate are granted, whether on the death of the policy or certificate holder, or during his lifetime.

9. Full particulars as to the terms and conditions upon which redemption of advances is granted, with specimens of redemption values in respect of bonds or certificates of different durations, and having different unexpired terms, at the date of redemption.

10. A tabular statement in respect of policies or certificates lapsed during the period since the last investigation, showing the number, the amount insured, the yearly premiums, and the total premiums received from the commencement; classified according to the year in which such policies or certificates were effected, and lapsed, respectively; with a similar tabular statement in respect of policies or certificates surrendered during the period: Provided that policies or certificates which have lapsed and been revived shall not be entered as lapses.

11. A statement of the total number of advances made under policies or certificates to the holders thereof, whether on the security of house property or land or otherwise, and the total amount of such advances outstanding at the date above mentioned, distinguishing the advances on first mortgage and those on second or subsequent mortgage.

SIXTH SCHEDULE.

Section 17.

RULES FOR VALUING POLICIES AND LIABILITIES.

(A)—*As respects Life Policies and Annuities.*

Rule for valuing an Annuity.

An annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and, where such tables cannot be ascertained or adopted to the satisfaction of the court, then according to such rate of interest and table of mortality as the court may direct.

Rule for valuing a Policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured according to the contingency upon which it is payable, including any bonus or addition thereto made before the commencement of the winding up, and the present value of the future annual premiums.

In calculating such present values interest is to be assumed at such rate, and the rate of mortality according to such tables, as the court may direct.

The premium to be calculated is to be such premium as according to the said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

(B)—*As respects Fire Policies.*

Rule for valuing a Policy.

The value of a current policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid.

(C)—*As respects Accident Policies.*

Rule for valuing a periodical Payment.

The present value of a periodical payment shall, in the case of total permanent incapacity, be such an amount as would, if invested in the purchase of a life annuity from the National Debt Commissioners through the Post Office Savings Bank, purchase an annuity equal to seventy-five per centum of the annual value of the periodical payment, and, in any other case, shall be such proportion of such amount as may, under the circumstances of the case, be proper.

Rule for valuing a Policy.

The value of a current policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid.

(D)—*As respects Employers' Liability Policies.*

Rule for valuing a Weekly Payment.

The present value of a weekly payment shall, if the incapacity of the workman in respect of which it is payable is total permanent incapacity, be such an amount as would, if invested in the purchase of an immediate life annuity from the National Debt Commissioners through the Post Office Savings Bank, purchase an annuity for the workman equal to seventy-five per cent. of the annual value of the weekly payment, and in any other case shall be such proportion of such amount as may, under the circumstances of the case, be proper.

Rule for valuing a Policy.

The value of a current policy shall be such portion of the last premium paid as is proportionate to the unexpired portion of the period in respect of which the premium was paid, together with, in the case of a policy under which any weekly payment is payable, the present value of that weekly payment.

(E)—*As respects Bonds or Certificates.*

Rule for valuing a Policy or Certificate.

The value of a policy or certificate is to be the difference between the present value of the sum assured according to the date at which it is payable, including any bonus or addition thereto made before the commencement of the winding up, and the present value of the future annual premiums.

In calculating such present values, interest is to be assumed at such rate as the court may direct.

The premium to be calculated is to be such premium as, according to the said rate of interest, is sufficient to provide for the sum assured by the policy or certificate, exclusive of any addition thereto for office expenses and other charges.

SEVENTH SCHEDULE.

Section 17.

Where an assurance company is being wound up by the court or subject to the supervision of the court, the liquidator, in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by such company, is to ascertain the value of the liability of the company to each such person, and give notice of such value to such persons in such manner as the court may direct, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in manner and within a time to be prescribed by a rule or order of the court.

EIGHTH SCHEDULE.

Sections 28 and 33.

REQUIREMENTS TO BE COMPLIED WITH BY UNDERWRITERS BEING MEMBERS OF LLOYD'S OR OF ANY OTHER ASSOCIATION OF UNDERWRITERS APPROVED BY THE BOARD OF TRADE.

(A)—*As respects Life Assurance Business.*

1. Every underwriter shall deposit and keep deposited in such manner as the Board of Trade may direct a sum of two thousand pounds. The Board of Trade may make rules as to the payment, repayment, investment of, and dealing with, a deposit, the payment of interest and dividends from any such investment, and for any other matters in respect of which they may make rules under section 2 (6) of this Act in relation to deposits made by assurance companies. The sum so deposited shall, so long as any liability under any policy issued by the underwriter remains unsatisfied, be available solely to meet claims under such policies.

2. The underwriter shall furnish every year to the Board of Trade a statement in such form as may be prescribed by the Board showing the extent and character of the life assurance business effected by him.

(B) *and* (C) *—As respects Fire and Accident Insurance Business.*

1. Except as hereinafter provided, every underwriter shall comply with the following requirements :—

(*a*) He shall deposit and keep deposited in such manner as the Board of Trade may direct a sum of two thousand pounds in respect of each class of business. The Board of Trade may make rules as to the payment, repayment, investment of, and dealing with, a deposit, the payment of interest and dividends from any such investment, and for any other matters in respect of which they may make rules under section 2 (6) of this Act in relation to deposits made by assurance companies. The sum so deposited shall, so long as any liability under any policy issued by the underwriter remains unsatisfied, be available solely to meet claims under such policies.

(*b*) He shall furnish every year to the Board of Trade a statement, in such form as may be prescribed by the Board, showing the extent and character of the fire or accident insurance business effected by him.

2. An underwriter who carries on fire insurance or accident insurance business may, in lieu of complying with the above requirements, elect to comply with the under-mentioned conditions :—

(*a*) All premiums received by or on behalf of the underwriter in respect of fire and accident insurance or re-insurance business carried on by him, either alone or in conjunction with any other insurance business for which special requirements are not laid down in this schedule, shall without any apportionment be placed in a trust fund in accordance with the provisions of a trust deed approved by the Board of Trade :

(*b*) He shall also furnish security to the satisfaction of the Board of Trade (or, if the Board so direct, to the satisfaction of the committee of the association), which shall be available solely to meet claims under policies issued by him in connexion with fire and accident business and any other non-marine business carried on by him for which special requirements are not laid down in this schedule.

The security may be furnished in the form of either a deposit or a guarantee, or partly in the one form and partly in the other.

The amount of the security to be furnished shall never be less than the aggregate of the premiums received or receivable by the underwriter in the last preceding year in connexion with such fire and accident and other non-marine business :

(*c*) The accounts of every underwriter shall be audited annually by an accountant approved by the committee of the association, who shall furnish a certificate to the committee of the association and to the Board of Trade in a form prescribed by the Board of Trade :

(*d*) For the purpose of these requirements "non-marine insurance business" means the business of issuing policies upon subject-matters of insurance other than the following, namely :—

Vessels of any description, including barges and dredgers, cargoes, freights, and other interests which may be legally insured by, in, or in relation to vessels, cargoes, and freights, goods, wares, merchandise, and property of whatever description insured for any transit by land or water, or both, and whether or not including warehouse risks or similar risks in addition or as incidental to such transit.

(D)—*As respects Employers' Liability Insurance Business.*

1. Every underwriter shall deposit and keep deposited in such manner as the Board of Trade may direct a sum of two thousand pounds. The Board of Trade may make rules as to the payment, repayment, investment of, and dealing with, a deposit, the payment of interest and dividends from any such investment, and for any other matters in respect of which they may make rules under this Act in relation to deposits made by assurance companies. The sum so deposited shall, so long as any liability under any policy issued by the underwriter remains unsatisfied, be available solely to meet claims under such policies.

2. Where the person insured by any policy issued by an underwriter is liable to make a weekly payment to any workman during the incapacity of the workman, and the weekly payment has continued for more than six months, the liability therefor shall before the expiration of twelve months from the commencement of the incapacity be redeemed by the payment of a lump sum in accordance with paragraph (17) of the First Schedule to the Workmen's Compensation Act, 1906, and the underwriter shall pay the lump sum into the county court, and shall inform the court that the redemption has been effected in pursuance of the provisions of this schedule.

3. The underwriter shall furnish every year to the Board of Trade a statement in such form as may be prescribed by the Board showing the extent and character of the employers' liability business effected by him.

4. For the purposes of this schedule "policy" means a policy insuring any employer against liability to pay compensation or damages to workmen in his employment.

(E)—*As respects Bond Investment Business.*

1. Every underwriter shall deposit and keep deposited in such manner as the Board of Trade may direct a sum of two thousand pounds. The Board of Trade may make rules as to the payment, repayment, investment of, and dealing with, a deposit, the payment of interest and dividends from any such investment, and for any other matters in respect of which they may make rules under section 2 (6) of this Act in relation to deposits made by assurance companies. The sum so deposited shall, so long as any liability under any policy issued by the underwriter remains unsatisfied, be available solely to meet claims under such policies.

2. The underwriter shall furnish every year to the Board of Trade a statement in such form as may be prescribed by the Board showing the extent and character of the bond investment business effected by him.

Section 37.

NINTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
33 & 34 Vict. c. 61.	The Life Assurance Companies Act, 1870.	The whole Act.
34 & 35 Vict. c. 58.	The Life Assurance Companies Act, 1871	The whole Act.
35 & 36 Vict. c. 41	The Life Assurance Companies Act, 1872	The whole Act.
39 & 40 Vict. c. 22	The Trade Union Act Amendment Act, 1876.	Section seven
7 Edw. 7. c. 46.	The Employers' Liability Insurance Companies Act, 1907.	The whole Act.

TABLE II.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session (arranged according to chapter) 9 EDWARD 7.—A.D. 1909.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 30th March 1909.

P. i. AN Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Zetland Masonic Sick and Widows and Orphans Fund. (*Zetland Masonic Sick and Widows and Orphans Fund Order Confirmation.*)

ROYAL ASSENT, 25th May 1909.

ii. An Act to revive the powers limited by the Hastings Harbour Act 1890 and the Hastings Harbour Act 1897 for the compulsory purchase of lands as extended by the Hastings Harbour Acts 1900 1903 and 1905 and also to extend the period limited by those Acts for the construction and completion of the harbour and works. (*Hastings Harbour.*)

iii. An Act to enable the London Chatham and Dover Railway Company to raise further capital. (*London Chatham and Dover Railway.*)

iv. An Act to make provision with reference to the re-arrangement of the capital of the Anglo-Argentine Tramways Company Limited. (*Anglo-Argentine Tramways Company Limited.*)

v. An Act to revive and extend the powers for the purchase of land and the period limited for the construction and completion of the railway authorised by the Wirral Railway Act 1898 to extend the time for the sale of surplus lands and for other purposes. (*Wirral Railway (Extension of Time).*)

vi. An Act to authorise the Heckmondwike Gas Company to extend their gasworks to construct certain footpaths to raise additional capital to convert their shares into stock to change the name of the Company and for other purposes. (*Heckmondwike and Liversedge Gas.*)

vii. An Act for conferring further powers on the Leyland and Farington Gas Company and for changing the name of the Company. (*Leyland Gas.*)

viii. An Act for the dissolution and reincorporation of the Littlehampton Gas Company Limited and for other purposes. (*Littlehampton Gas.*)

ix. An Act to provide for the granting of superannuation allowances to the officers and servants of the mayor aldermen and councillors of the metropolitan borough of Wandsworth and for other purposes. (*Wandsworth Borough Council (Superannuation).*)

x. An Act to incorporate the United Kingdom Temperance and General Provident Institution and to provide for the management of its affairs and for other purposes. (*United Kingdom Temperance and General Provident Institution.*)

xi. An Act to empower the mayor aldermen and burgesses of the borough of Conway in the county of Carnarvon to supply gas outside the limits of their district and to borrow further moneys and for other purposes in connexion with their gas undertaking. (*Conway Gas.*)

xii. An Act to confer further powers upon the North Metropolitan Electric Power Supply Company and for other purposes. (*North Metropolitan Electric Power Supply.*)

xiii. An Act to provide for the working of the undertaking of the Liskeard and Looe Railway Company by the Great Western Railway Company and for the vesting of the undertaking of the Liskeard and Caradon Railway Company in the Great Western Railway Company and for other purposes. (*Great Western Railway Liskeard and Looe and Liskeard and Caradon Railways.*)

xiv. An Act for conferring further powers on the Wells Gaslight Company. (*Wells Gas.*)

xv. An Act to confer further powers upon the South Lincolnshire Water Company and for other purposes. (*South Lincolnshire Water.*)

P. xvi. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Kirkwall Water. (*Kirkwall Water Order.*)

P. xvii. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the parishes of Westbury Minsterly and Pontesbury in the county of Salop. (*Land Drainage Provisional Order Confirmation* (*No.* 2).)

P. xviii. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the parishes of Haxey and Owston in the county of Lincoln. (*Land Drainage Provisional Order Confirmation* (*No.* 3).)

ROYAL ASSENT, 16th August 1909.

xix. An Act to authorise the guarantee by the county council of the administrative county of Down of dividends on portion of the share capital of the Ards Railways Company and for other purposes. (*Ards Railways.*)

xx. An Act to confer further powers on the holders of preferred and deferred (North Eastern Railway consols) stock of the Stock Conversion and Investment Trust Limited to empower the North Eastern Railway Company to become trustees under the trust deed regulating the issue of such stocks and for other purposes. (*Stock Conversion and Investment Trust Limited* (*North Eastern Railway Consols*).)

xxi. An Act to enable the Rio Tinto Company Limited to issue transferable certificates and warrants for the delivery of goods and for other purposes. (*Rio Tinto Company Limited* (*Delivery Warrants*).)

xxii. An Act to include "B" Annuities payable under the East Indian Railway Company Purchase Act 1879 among the securities which may be purchased for the sinking fund created under that Act and to make corresponding provisions regarding securities which may be purchased for the sinking funds created under the Eastern Bengal Railway Company Purchase Act 1884 the Scinde Punjaub and Delhi Railway Purchase Act 1886 the Great Indian

Peninsula Railway Purchase Act 1900 and the Madras Railway Annuities Act 1908 respectively. (*Indian Railway Annuities (Sinking Funds).*)

xxiii. An Act to confer additional powers upon the Midland Railway Company for the construction of works and the acquisition of lands and for other purposes. (*Midland Railway.*)

xxiv. An Act to confer further powers on the Grantham Waterworks Company and for other purposes. (*Grantham Waterworks.*)

xxv. An Act for incorporating and conferring powers upon the Clevedon Water Company and for other purposes. (*Clevedon Water.*)

xxvi. An Act to sanction and confirm the construction by the Worksop Waterworks Company of existing works to authorise that Company to raise additional capital and for other purposes. (*Worksop Waterworks.*)

xxvii. An Act for extending the limits of supply of the Eastbourne Gas Company to enable that Company to acquire the undertaking of the Hailsham Gas Company to consolidate their capital and for other purposes. (*Eastbourne Gas.*)

xxviii. An Act to make further provision in regard to the tramways and light railways in the borough of Dudley. (*Dudley Corporation.*)

xxix. An Act to incorporate the Donington Water Company and to enable that Company to supply water in certain parishes in the county of Lincoln. (*Donington Water.*)

xxx. An Act to enable the Pontypool Gas and Water Company to construct further waterworks to raise further capital and for other purposes. (*Pontypool Gas and Water.*)

xxxi. An Act to authorise the London and South Western Railway Company to construct new and maintain existing works to acquire additional lands and to raise further money and to provide for the transfer of a portion of the undertaking of the Plymouth and Dartmoor Railway Company and the undertaking of the Stonehouse Pool Improvement Company and the working by the Company of the Lee-on-the-Solent (Light) Railway and for other purposes. (*South Western Railway.*)

xxxii. An Act to authorise the sale and transfer of the undertaking of the Ilen Valley Railway Company to the Cork Bandon and South Coast Railway Company and for other purposes. (*Cork Bandon and South Coast Railway.*)

xxxiii. An Act to empower the York Town and Blackwater Gas Company to supply electricity and to confer further powers on them and for other purposes. (*York Town and Blackwater Gas (Electric Lighting &c.).*)

xxxiv. An Act to extend the period limited by the Preston Chorley and Horwich Tramways Acts 1903 1904 and 1906 for construction of works and land purchases and for other purposes. (*Preston Chorley and Horwich Tramways.*)

xxxv. An Act to incorporate the Bungay Water Company and to enable that Company to supply water in certain parishes in the counties of Norfolk and Suffolk. (*Bungay Water.*)

xxxvi. An Act to confer further powers upon the County of Durham Electric Power Supply Company and for other purposes. (*County of Durham Electric Power Supply.*)

xxxvii. An Act for conferring further powers upon the Malvern Hills Conservators and for other purposes. (*Malvern Hills.*)

xxxviii. An Act to empower the County Council of the administrative county of East Sussex to construct sea defences for protecting the road between Brighton and Rottingdean and for other purposes. (*East Sussex County Council.*)

xxxix. An Act for empowering the Corporation of the City of Liverpool to execute street improvements to construct tramways and for other purposes. (*Liverpool Corporation.*)

xl. An Act for the abandonment of the tramroad and works of the Southport and Lytham Tramroad Company the sale of the lands and property of the Company and for other purposes. (*Southport and Lytham Tramroad (Abandonment).*)

xli. An Act to authorise the Wallasey Urban District Council to construct tramways and street improvements and for other purposes. (*Wallasey Tramways and Improvements.*)

xlii. An Act to dissolve University College Bristol and to transfer all the property and liabilities of that college to the University of Bristol and for other purposes. (*University of Bristol.*)

xliii. An Act to confer further powers upon the Corporation of Wakefield in regard to their water and electricity undertakings and for other purposes. (*Wakefield Corporation.*)

xliv. An Act to authorise the Great Western Railway Company to own and use vessels for the conveyance of traffic between the ports of Weymouth and Plymouth and the ports in the Channel Islands and certain French ports and for other purposes. (*Great Western Railway* (*Steam Vessels*).)

xlv. An Act to confer further powers upon the Harrogate Gas Company. (*Harrogate Gas.*)

xlvi. An Act for incorporating the Eskdale Railway Company for vesting in that Company the undertaking of the Ravenglass and Eskdale Railway Company and for other purposes. (*Eskdale Railway.*)

xlvii. An Act for extending the limits of supply and of conferring further powers upon the Frimley and Farnborough District Water Company and for other purposes. (*Frimley and Farnborough District Water.*)

xlviii. An Act for enabling the Lancashire and Yorkshire Railway Company and the North Eastern Railway Company to construct a light railway in the West Riding of the county of York and for other purposes. (*Lancashire and Yorkshire and North Eastern Railways.*)

xlix. An Act to authorise the South Staffordshire Waterworks Company to construct new works to sanction and confirm the construction of existing works to raise additional capital and for other purposes. (*South Staffordshire Waterworks.*)

l. An Act for conferring further powers upon the North East London Railway Company. (*North East London Railway.*)

li. An Act for conferring further powers upon the London and North Western Railway Company and for other purposes. (*London and North Western Railway.*)

lii. An Act to extend the time for the construction of the authorised tramways of the Folkestone Sandgate and Hythe Tramways Company and for the acquisition of lands in connection therewith and for other purposes. (*Folkestone Sandgate and Hythe Tramways.*)

liii. An Act for altering the area comprised in the Burgh Castle Separate Drainage District and for modifying the powers of the Drainage Board for that district and for other purposes. (*Great Yarmouth* (*Burgh Castle Drainage*).)

liv. An Act to increase the number of wards of the borough of Southend-on-Sea and the number of members of the council and to confer further powers upon the mayor aldermen and burgesses of that borough with respect to the disposal of sewage and for other purposes. (*Southend-on-Sea Corporation.*)

lv. An Act to extend the limits of supply for gas of the Aldershot Gas and Water Company to empower the Company to construct additional waterworks and to supply electricity to change the name of the Company and for other purposes. (*Aldershot Gas Water and District Lighting.*)

lvi. An Act for incorporating and conferring powers upon the Ammanford Gas Company. (*Ammanford Gas.*)

lvii. An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester with reference to the construction of street works tramways and sewerage works and otherwise for the better local government and improvement of the city to extend the city and for other purposes. (*Manchester Corporation.*)

lviii. An Act to empower the urban district council of Lisburn to supply gas and to provide for the transfer of the undertaking of the Lisburn Gas Company Limited to the council and to make further and better provision with regard to the supply of water and for the improvement health local government and finance of the district and for other purposes. (*Lisburn Urban District Council.*)

lix. An Act to provide for the granting of superannuation allowances to the officers and pensions to the servants of the metropolitan borough and city of Westminster and for other purposes. (*Westminster City Council (Superannuation and Pensions).*)

lx. An Act to empower the Alexandra (Newport and South Wales) Docks and Railway Company to raise additional capital to make provisions in relation to the consolidation and cancellation of existing capital to extend the time for the completion of certain works and for other purposes. (*Alexandra (Newport and South Wales) Docks and Railway.*)

lxi. An Act to confer further powers upon the Alliance and Dublin Consumers Gas Company. (*Alliance and Dublin Gas.*)

lxii. An Act for extending the limits of supply of and conferring further powers upon the West Gloucestershire Water Company and for other purposes. (*West Gloucestershire Water.*)

lxiii. An Act to confer further powers upon the Derwent Valley Water Board to confer powers upon the Leicester Corporation and the Sheffield Corporation and for other purposes. (*Derwent Valley Water.*)

lxiv. An Act to confer further powers upon the City of of Oxford Electric Tramways Limited and to amend the Oxford and District Tramways Act 1907 and for other purposes. (*Oxford and District Tramways.*)

lxv. An Act to authorise the Pontypridd Waterworks Company to construct railways and other works in the counties of Brecon and Glamorgan to amend the Pontypridd Waterworks and Tramroad Act 1908 to abandon the construction of certain works authorised by the Act of 1908 and for other purposes. (*Pontypridd Waterworks (Amendment).*)

lxvi. An Act to constitute and incorporate a Gas Board for the urban districts of Swinton and Mexborough in the west riding of the county of York and to transfer to and vest in such Board the undertaking of the Swinton and Mexborough Gas Light Company and for other purposes. (*Swinton and Mexborough Gas Board.*)

lxvii. An Act for the better regulation of the traffic in the streets of the city of London. (*City of London (Street Traffic).*)

lxviii. An Act to empower the London County Council to make a subway under the River Thames in the metropolitan borough of Woolwich and for other purposes. (*Thames Tunnel (North and South Woolwich).*)

lxix. An Act to empower the South Western and Isle of Wight Junction Railway Company to construct a railway and pier extension to raise additional capital to revive and extend the powers for the purchase of lands and the time limited for the completion of works by that Company and for other purposes. (*South Western and Isle of Wight Junction Railway.*)

lxx. An Act to authorise the Gateshead and District Tramways Company to construct additional tramways and for other purposes. (*Gateshead and District Tramways.*)

lxxi. An Act to empower the Central London Railway Company to construct a new railway and subways and for other purposes. (*Central London Railway.*)

lxxii. An Act to authorise the Hull and Barnsley Railway Company to construct new railways and for other purposes. (*Hull and Barnsley Railway.*)

lxxiii. An Act for incorporating and conferring powers on the Blackwood Gas Company and for other purposes. (*Blackwood Gas.*)

lxxiv. An Act to extend the time for the completion of tramways authorised by the Holywood Tramways Act 1904. (*Holywood Tramways.*)

lxxv. An Act to empower the London County Council to construct and work new tramways and to alter and reconstruct existing tramways and make a new street and street improvements and other works to purchase the Highgate Hill tramways and for other purposes. (*London County Council (Tramways and Improvements).*)

lxxvi. An Act to authorise the Midland Great Western Railway of Ireland Company to construct a new railway and acquire additional lands and for other purposes. (*Midland Great Western Railway of Ireland.*)

lxxvii. An Act to enable the Barry Railway Company to construct railways to confer powers upon that Company and the Vale of Glamorgan Railway Company and for other purposes. (*Barry Railway.*)

lxxviii. An Act for transferring to the West Kent Electric Company Limited certain of the powers of the Kent Electric Power Company and for other purposes. (*West Kent Electric Power.*)

lxxix. An Act for the more effectual drainage and improvment of certain lands in the parishes of Methwold and Feltwell in the county of Norfolk and for other purposes. (*Methwold and Feltwell Drainage.*)

lxxx. An Act to extend the time for the compulsory purchase of lands and for the completion of works for the South Eastern and London Chatham and Dover Railways to make provision respecting the carriage road bridge over the River Swale the management of the separate properties of the Two Companies by the managing committee and joint general meetings of the Two Companies and for other purposes. (*South Eastern and London Chatham and Dover Railways.*)

lxxxi. An Act to regulate the expenditure of money by the London County Council on capital account during the current financial period and the raising of money to meet such expenditure and for other purposes. (*London County Council (Money).*)

lxxxii. An Act to empower the urban district council of Llanelly in the county of Carmarthen to construct and maintain additional waterworks to define and extend the limits for the supply of water and for other purposes (*Llanelly Waterworks.*)

lxxxiii. An Act to empower the Council of the urban district of Northallerton to construct additional waterworks and for other purposes. (*Northallerton Waterworks.*)

lxxxiv. An Act for conferring further powers upon the Great Western Railway Company in respect of their own undertaking and upon that Company and the Midland Railway Company in respect of an undertaking in which they are jointly interested and upon the Bala and Festiniog Railway Company and the Weymouth and Portland Railway Company and for other purposes. (*Great Western Railway (General Powers).*)

lxxxv. An Act to authorise the construction of new railways and works and the acquisition of additional lands by the Great Central Railway Company the construction of a street improvement in the city of Lincoln the acquisition of additional lands by the Manchester South Junction and Altrincham Railway Company the Seaforth and Sefton Junction Railway Company and the North Lindsey Light Railways Company the leasing of the Seaforth and Sefton Junction Railway to the Great Central Railway Company the raising of additional capital by the Great Central Railway Company and the Humber Commercial Railway and Dock Company and for other purposes (*Great Central Railway (Various Powers).*)

lxxxvi. An Act to authorise the guarantee by the county councils of the counties of Sligo and Mayo and the urban district council of Ballina of dividends on portion of the capital of the Collooney Ballina and Belmullet Railways and Piers Company and for other purposes. (*Collooney Ballina and Belmullet Railways and Piers.*)

lxxxvii. An Act to authorise the acquisition by the Gas Light and Coke Company of the undertaking of the West Ham Gas Company to confer further powers on the Gas Light and Coke Company and for other purposes. (*Gas Light and Coke Company's.*)

lxxxviii. An Act to confer further powers upon the Watford Urban District Council in relation to their water and electricity undertakings and to make further provision for the local government of the district. (*Watford Urban District Council.*)

lxxxix. An Act to authorise the Corporation of Oldham to construct additional waterworks tramways and street improvements to confer further powers with respect to the supply of gas and electricity to make further provision for the health local government and improvement of the borough and for other purposes (*Oldham Corporation.*)

xc. An Act to confer further powers on the urban district council of Mountain Ash in relation to their gas water and electricity undertakings and to make further and better provision with regard to the improvement health and local government of the district and for other purposes, (*Mountain Ash Urban District Council.*)

xci. An Act to constitute and incorporate a water board consisting of representatives from the councils of the urban districts of Stourbridge and Lye and Wollescote in the county of Worcester and of the urban district of Amblecote and of the rural district of Kingswinford in the county of Stafford and to transfer to and vest in such board the undertaking of the Stourbridge Waterworks Company Limited and to authorise the board to construct additional waterworks and for other purposes. (*Stourbridge and District Water Board.*)

P. xcii. An Act to confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act 1888 relating to the classification of merchandise traffic and the schedule of maximum rates and charges applicable thereto of the Weston Clevedon and Portishead Light Railways Company. (*Railway Rates and Charges* (*Weston Clevedon and Portishead Light Railways*) *Order Confirmation.*)

P. xciii. An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1907 to enable the London County Council to put in force the Lands Clauses Acts. (*Education Board Provisional Order Confirmation* (*London No.* 1).)

P. xciv. An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1907 to enable the London County Council to put in force the Lands Clauses Acts. (*Education Board Provisional Order Confirmation* (*London No.* 2).)

P. xcv. An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1907 to enable the Councils of the Administrative Counties of Buckingham Cornwall Gloucester Montgomery and Surrey to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation* (*Bucks, &c.*).)

P. xcvi. An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the parish of Owston in the county of Lincoln. (*Land Drainage Provisional Order Confirmation* (*No.* 1).)

P. xcvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Musselburgh Gas. (*Musselburgh Gas Order Confirmation.*)

P. xcviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Musselburgh Corporation. (*Musselburgh Corporation* (*Extension of Boundaries &c.*) *Order Confirmation.*)

P. xcix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Caledonian Railway. (*Caledonian Railway Order Confirmation.*)

P. c. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Glasgow Hospital for Skin Diseases. (*Glasgow Hospital for Skin Diseases Order Confirmation.*)

P. ci. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Merchants House of Glasgow (Buchanan and Ewing Bequests). (*Merchants House of Glasgow (Buchanan and Ewing Bequests) Order Confirmation.*)

P. cii. An Act to confirm a Scheme approved and certified by the Board of Education under the Charitable Trusts Act 1853 relating to Cheshunt College. (*Board of Education Scheme (Cheshunt College) Confirmation.*)

P. ciii. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the rural districts of Castlereagh Midleton and Naas No. 1 and the Foranwell Drainage District in the county of Kildare. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 1).*)

P. civ. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the city of Dublin the Londonderry Port Sanitary Authority and the urban district of Queenstown. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 2).*)

P. cv. An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to the Gorteen Drainage District in the county of Kildare (*Local Government Board (Ireland) Provisional Order Confirmation (No. 3).*)

P. cvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Great North of Scotland Railway (*Great North of Scotland Railway Order Confirmation.*)

P. cvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Bideford Gas Bude Gas Comber Gas Compstall Gas and Hayfield Gas. (*Gas Orders Confirmation (No. 1).*)

P. cviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Brough Elloughton and District Gas Langley Mill and Heanor Gas Long Eaton Gas Settle Gas and Sutton and Hooton District Gas. (*Gas Orders Confirmation* (*No.* 2).)

P. cix. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Dunfermline and District. (*Electric Lighting Order Confirmation* (*No.* 2).)

P. cx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to St. Andrews Water. (*St. Andrews Water Order Confirmation.*)

P. cxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Edinburgh Merchant Company Endowments. (*Edinburgh Merchant Company Endowments Order Confirmation.*)

P. cxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Ardrossan Harbour. (*Ardrossan Harbour Order Confirmation.*)

P. cxiii. An Act to confirm a Provisional Order made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Fermoy Gas. (*Gas Provisional Order.*)

P. cxiv. An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Tralee and Fenit. (*Pier and Harbour Order Confirmation* (*No.* 1).)

P. cxv. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Bognor Herne Bay and Truro. (*Pier and Harbour Order Confirmation* (*No.* 2).)

P. cxvi. An Act to confirm a Provisional Order of the Local Government Board relating to Southampton. (*Local Government Board's Provisional Order Confirmation* (*Poor Law*).)

P. cxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bridlington Dorking Newport Pagnell (Rural) and Totnes. (*Local Government Board's Provisional Orders Confirmation* (*No.* 1).)

P. cxviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Derby Oswaldtwistle Wallasey and Walsall. (*Local Government Board's Provisional Orders Confirmation (No. 2).*)

P. cxix. An Act to confirm certain Provisional Orders of the Local Government Board relating to Cardiff Fulwood and Newport (Monmouth). (*Local Government Board's Provisional Orders Confirmation (No. 3).*)

P. cxx. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bexhill Liversedge Warrington Widnes and Worcester. (*Local Government Board's Provisional Orders Confirmation (No. 4).*)

P. cxxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Kendal Milton Regis Surbiton the Isle of Wight Joint Hospital District the Scunthorpe and Crosby Joint Sewerage District and the District of the Accrington District Gas and Water Board. (*Local Government Board's Provisional Orders Confirmation (No. 5).*)

P. cxxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Birmingham and Wakefield. (*Local Government Board's Provisional Orders Confirmation (No. 7).*)

P. cxxiii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Birkenhead Coventry and the Oakwell Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation (No. 8).*)

P. cxxiv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Ilkeston and Ynyscynhaiarn. (*Local Government Board's Provisional Orders Confirmation (Gas).*)

P. cxxv. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order (Marriages) Confirmation.*)

P. cxxvi. An Act to confirm a Scheme under the Metropolitan Commons Acts 1866 to 1898 with respect to Keston Common and Leaves Green in the county of Kent. (*Metropolitan Commons Scheme Confirmation.*)

P. cxxvii. An Act to confirm an Order under the Sea Fisheries Acts 1843 to 1893 for the improvement maintenance and regulation of an oyster mussel and cockle fishery in the estuary of the River Tees. (*Sea Fisheries (Tees) Provisional Order Confirmation.*)

P. **cxxviii.** An Act to discharge certain surcharges made upon the accounts of the Municipal Corporation of Dublin. (*Remission of Surcharges* (*Dublin*).)

cxxix. An Act to extend the municipal and police boundaries of the burgh of Greenock to consolidate the Local Acts and Orders relating to that burgh to confer further powers on the provost magistrates and councillors thereof and for other purposes. (*Greenock Corporation.*)

cxxx. An Act to empower the London County Council to construct railway sidings in the county of Surrey and to confer other powers upon that Council to make provisions with respect to sanitary matters to amend the London Building Acts to confer powers upon the councils of the metropolitan borough of Southwark and the royal borough of Kensington and for other purposes. (*London County Council* (*General Powers*).)

cxxxi. An Act to make further and better provision with regard to the tramway gas and electricity undertakings of the corporation of Heywood and the improvement health and local government of the borough and for other purposes. (*Heywood Corporation.*)

cxxxii. An Act to confer upon the Prestatyn Urban District Council powers in relation to the supply of gas and water and to make further provision for the local government health and improvement of the district. (*Prestatyn Urban District Council.*)

cxxxiii. An Act to transfer to and vest in the Council of the urban district of Risca the undertaking of the Western Valleys (Monmouthshire) Water and Gas Company to sanction and confirm the construction of existing waterworks and to authorise the Council to supply water and gas and for other purposes. (*Risca Urban District Council.*)

cxxxiv. An Act to authorise the Torquay Tramways Company Limited to construct tramways in extension of the existing tramways in the borough of Torquay and for other purposes. (*Torquay and Paignton Tramways.*)

cxxxv. An Act to authorise the Corporation of Shrewsbury to construct a weir on the River Severn and for other purposes. (*Shrewsbury Corporation.*)

ROYAL ASSENT, 20th September 1909.

cxxxvi. An Act to confer additional powers upon the North Eastern Railway Company for the construction of new railways and other works and the acquisition of lands and for other purposes. (*North Eastern Railway.*)

cxxxvii. An Act to make provision with reference to the preparation auditing and publication of the annual accounts of the Corporation of the city of Glasgow to authorise the Corporation to construct new tramways to increase the assessment for sewage purposes to borrow further moneys for the purposes of the Glasgow Tramways Acts 1905 to 1907 the Glasgow Corporation Parks Acts 1878 to 1905 and the Glasgow Sewage Acts 1891 to 1907 and to extend the boundaries of the city and for other purposes. (*Glasgow Corporation.*)

cxxxviii. An Act to authorise the provost magistrates and councillors of the Burgh of Dunoon to make charges for admission to the castle gardens and concerts therein to make provision for preserving the amenity of the seashore and for other purposes. (*Dunoon Burgh.*)

cxxxix. An Act for conferring further powers on the Taff Vale Railway Company. (*Taff Vale Railway.*)

cxl. An Act to empower the Newry Keady and Tynan Light Railway Company to construct new railways and to abandon portion of their authorised railways to revive and extend the time limited by the Newry Keady and Tynan Light Railway Act 1900 the Ulster and Connaught Light Railways Act 1903 and the Newry Keady and Tynan Light Railway Act 1905 for the compulsory purchase of lands for the purposes thereof and for the completion of the railways thereby authorised to change the name of the Company and for other purposes. (*Newry Keady and Tynan Railway.*)

P. cxli. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Chesham (Extension) Cleethorpes (Amendment) Herne Bay Hindhead and District (Extension) Holsworthy Southampton (Extension) Staines Stourbridge Turton and Walton-on-the-Naze. (*Electric Lighting Orders Confirmation* (*No.* 1).)

P. cxlii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Coatbridge Gas Llynvi Valley Gas Bradfield Water Gravesend and Milton Water and Hungerford Water. (*Gas and Water Orders Confirmation.*)

P. cxliii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Bolton Corporation Tramways Keighley Corporation Tramways Morecambe Corporation Tramways Portsmouth Corporation Tramways and Whitworth Urban District Council Tramways. (*Tramways Orders Confirmation.*)

P. cxliv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Buckie Burgh and Buckie (Cluny) Harbour. (*Buckie Burgh and Buckie (Cluny) Harbour Order Confirmation.*)

P. cxlv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Harbour. (*Aberdeen Harbour Order Confirmation.*)

P. cxlvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Clydebank and District Water. (*Clydebank and District Water Order Confirmation.*)

ROYAL ASSENT, 20th October 1909.

P. cxlvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine Harbour. (*Irvine Harbour Order Confirmation.*)

P. cxlviii. An Act to confirm a Scheme of the Charity Commissioners for the management of the Charity of Sir Richard Whittington under the management of the Mercers' Company of the City of London. (*Whittington Charity Scheme Confirmation.*)

P. cxlix. An Act to confirm a Scheme of the Charity Commissioners for the management of (1) The Charity consisting of the proceeds of sale of Hope English Baptist Chapel in Queen Street in the township of Bridgend in the parish of Coity in the county of Glamorgan and (2) The Charity consisting of the Hope English Baptist Sunday Schoolroom in Queen Street aforesaid. (*Bridgend Hope English Baptist Chapel Scheme Confirmation.*)

P. cl. An Act to confirm a Scheme of the Charity Commissioners for the management of the Charity of John Marshall. (*Marshall's Charity Scheme Confirmation.*)

P. cli. An Act to confirm a Scheme of the Charity Commissioners for the management of the Charities consisting of the Congregational Chapel in Wade Street in the city of Lichfield and the Congregational Chapel at Longdon in the county of Stafford and the trust property held in connexion with such chapels. (*Lichfield and Longdon Congregational Chapels Scheme Confirmation.*)

P. clii. An Act to confirm a Scheme of the Charity Commissioners for the management of the Charities consisting of the Trinity Congregational Chapel and the Ebenezer Congregational Chapel Burial Ground Caretaker's House and Mission Room in the parishes of Dewsbury and Batley in the west riding of the county of York. (*Dewsbury and Batley Congregational Chapels Scheme Confirmation.*)

P. cliii. An Act to confirm a Scheme of the Charity Commissioners for the management of the Charity consisting of the Bethel Congregational Chapel and trust property at Wortley in the city of Leeds. (*Wortley Congregational Chapel Scheme Confirmation.*)

P. cliv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Hamilton Burgh. (*Hamilton Burgh Order Confirmation.*)

P. clv. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Provisional Order (Marriages) Act 1905. (*Provisional Order (Marriages) Confirmation (No. 2).*)

P. clvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Maryport the Hitchin Joint Hospital District and the Whaley Bridge Joint Sewerage District. (*Local Government Board's Provisional Orders Confirmation (No. 9).*)

P. clvii. An Act to confirm an Order under the Salmon and Freshwater Fisheries Act 1907 relating to the River Lune and other waters. (*Lune Fisheries Provisional Order Confirmation.*)

clviii. An Act for making a railway in the counties of Kilkenny Queen's County and Kildare to be called the Kilkenny Castlecomer and Athy Railway and for other purposes. (*Kilkenny Castlecomer and Athy Railway.*)

clix. An Act to consolidate with amendments certain of the Local Acts in force within the county borough of Bury to make further provision in regard to the various undertakings of the corporation and to make better provision for the health and local government of the borough and for other purposes. (*Bury Corporation.*)

clx. An Act to authorise a deviation of part of the Edgware and Hampstead Railway and to confer further powers on the Edgware and Hampstead Railway Company and for other purposes. (*Edgware and Hampstead Railway.*)

ROYAL ASSENT, 25th November 1909.

clxi. An Act to empower the lord mayor aldermen and citizens of the city of Cardiff to construct and maintain additional waterworks and to make further provision for the improvement health and good government of the city and for other purposes. (*Cardiff Corporation.*)

LIBRARY

P. clxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Batley and Dewsbury. (*Local Government Board's Provisional Orders Confirmation (No. 6).*)

P. clxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Colinton Tramways. (*Colinton Tramways Order Confirmation.*)

P. clxiv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Robert Gordon's Technical College and Aberdeen Endowments Trust. (*Robert Gordon's Technical College and Aberdeen Endowments Trust Order Confirmation.*)

PRIVATE ACT.

NOT PRINTED.

ROYAL ASSENT, 30th April 1909.

An Act to dissolve the marriage of James Robert Torrens with Enid Maud Torrens his present wife and to enable him to marry again and for other purposes. (*Torrens' Divorce.*)

TABLE IIA.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session 9 EDWARD 7.—A.D. 1909.

ARRANGED ALPHABETICALLY.

Aberdeen Harbour Order Confirmation. c. cxlv.
Aldershot Gas Water and District Lighting. c. lv.
Alexandra (Newport and South Wales) Docks and Railway. c. lx.
Alliance and Dublin Gas. c. lxi.
Ammanford Gas. c. lvi.
Anglo-Argentine Tramways Company Limited. c. iv.
Ardrossan Harbour Order Confirmation. c. cxii.
Ards Railways. c. xix.

Barry Railway. c. lxxvii.
Blackwood Gas. c. lxxiii.
Board of Education Scheme (Cheshunt College) Confirmation. c. cii.
Bridgend Hope English Baptist Chapel Scheme Confirmation. c. cxlix.
Bristol University. See University of Bristol.
Buckie Burgh and Buckie (Cluny) Harbour Order Confirmation. c. cxliv.
Bungay Water. c. xxxv.
Bury Corporation. c. clix.

Caledonian Railway Order Confirmation. c. xcix.
Cardiff Corporation. c. clxi.

Central London Railway. c. lxxi.
City of London (Street Traffic). c. lxvii.
Clevedon Water. c. xxv.
Clydebank and District Water Order Confirmation c. cxlvi.
Colinton Tramways Order Confirmation. c. clxiii.
Collooney Ballina and Belmullet Railways and Piers. c. lxxxvi.
Conway Gas. c. xi.
Cork Bandon and South Coast Railway. c. xxxii.
County of Durham Electric Power Supply. c. xxxvi.

Derwent Valley Water. c. lxiii.
Dewsbury and Batley Congregational Chapels Scheme Confirmation. c. clii.
Donington Water. c. xxix.
Dublin. See Remission of Surcharges (Dublin).
Dudley Corporation. c. xxviii.
Dunoon Burgh. c. cxxxviii.

East Sussex County Council. c. xxxviii.
Eastbourne Gas. c. xxvii.
Edgware and Hampstead Railway. c. clx.
Edinburgh Merchant Company Endowments Order Confirmation. c. cxi.
Education Board Provisional Orders Confirmation :—
(Bucks &c.). c. xcv.
(London No. 1). c. xciii.
(——— No. 2). c. xciv.
Electric Lighting Orders Confirmation :—
(No. 1). c. cxli.
(No. 2). c. cix.
Eskdale Railway. c. xlvi.

Folkestone Sandgate and Hythe Tramways. c. lii.
Frimley and Farnborough District Water. c. xlvii.

Gas Light and Coke Company's. c. lxxxvii.
Gas Orders Confirmation :—
(No. 1). c. cvii.
(No. 2). c. cviii.
(Fermoy). c. cxiii.
Gas and Water Orders Confirmation. c. cxlii.
Gateshead and District Tramways. c. lxx.

Glasgow Corporation. c. cxxxvii.
Glasgow Hospital for Skin Diseases Order Confirmation. c. c.
Grantham Waterworks. c. xxiv.
Great Central Railway (Various Powers). c. lxxxv.
Great North of Scotland Railway Order Confirmation. c. cvi.
Great Western Railway (General Powers). c. lxxxiv.
——————— (Liskeard and Looe and Liskeard and Caradon Railways). c. xiii.
——————— (Steam Vessels). c. xliv.
Great Yarmouth (Burgh Castle Drainage). c. liii.
Greenock Corporation. c. cxxix.

Hamilton Burgh Order Confirmation. c. cliv.
Harrogate Gas. c. xlv.
Hastings Harbour. c. ii.
Heckmondwike and Liversedge Gas. c. vi.
Heywood Corporation. c. cxxxi.
Holywood Tramways. c. lxxiv.
Hull and Barnsley Railway. c. lxxii.

Indian Railway Annuities (Sinking Funds). c. xxii.
Irvine Harbour Order Confirmation. c. cxlvii.

Kilkenny Castlecomer and Athy Railway. c. clviii.
Kirkwall Water Order. c. cxvi.

Lancashire and Yorkshire and North Eastern Railways. c. xlviii.
Land Drainage Provisional Orders Confirmation :—
(No. 1). c. xcvi.
(No. 2). c. xvii.
(No. 3). c. xviii.
Leyland Gas. c. vii.
Lichfield and Longdon Congregational Chapels Scheme Confirmation. c. cli.
Lisburn Urban District Council. c. lviii.
Liskeard and Looe and Liskeard and Caradon Railways (Vesting &c.). *See* Great Western Railway (Liskeard and Looe and Liskeard and Caradon Railways).
Littlehampton Gas. c. viii.
Liverpool Corporation. c. xxxix.
Llanelly Waterworks. c. lxxxii.

Local Government Board's Provisional Orders Confirmation :—
(No. 1). c. cxvii.
(No. 2). c. cxviii.
(No. 3). c. cxix.
(No. 4). c. cxx.
(No. 5). c. cxxi.
(No. 6). c. clxii.
(No. 7). c. cxxii.
(No. 8). c. cxxiii.
(No. 9). c. clvi.
(Gas). c. cxxiv.
(Poor Law). c. cxvi.

Local Government Board (Ireland) Provisional Orders Confirmation :—
(No. 1). c. ciii.
(No. 2). c. civ.
(No. 3). c. cv.

London and North-Western Railway. c. li.

London and South-Western Railway. *See* South-Western Railway.

London Chatham and Dover Railway. c. iii.

London County Council (General Powers). c. cxxx.

——————————— (Money). c. lxxxi.

——————————— (Tramways and Improvements). c. lxxv.

Lune Fisheries Provisional Order Confirmation. c. clvii.

Malvern Hills. c. xxxvii.

Manchester Corporation. c. lvii.

Marriages Provisional Orders. *See* Provisional Orders (Marriages) Confirmation.

Marshall's Charity Scheme Confirmation. c. cl.

Merchants House of Glasgow (Buchanan and Ewing Bequests) Order Confirmation. c. ci.

Methwold and Feltwell Drainage. c. lxxix.

Metropolitan Commons Scheme Confirmation. c. cxxvi.

Midland Great Western Railway of Ireland. c. lxxvi.

Midland Railway. c. xxiii.

Mountain Ash Urban District Council. c. xc.

Musselburgh Corporation (Extension of Boundaries &c.) Order Confirmation. c. xcviii.

Musselburgh Gas Order Confirmation. c. xcvii.

Newry Keady and Tynan Railway. c. cxl.

North Eastern Railway. c. cxxxvi.

North East London Railway. c. l.

North Metropolitan Electric Power Supply. c. xii.

Northallerton Waterworks. c. lxxxiii.

Oldham Corporation. c. lxxxix.
Oxford and District Tramways. c. lxiv.

Pier and Harbour Orders Confirmation :—
(No. 1). c. cxiv.
(No. 2). c. cxv.
Pontypool Gas and Water. c. xxx
Pontypridd Waterworks (Amendment). c. lxv.
Prestatyn Urban District Council. c. cxxxii.
Preston Chorley and Horwich Tramways. c. xxxiv.
Provisional Orders (Marriages) Confirmation :—
(*No. 1*). c. cxxv.
(No. 2). c. clv.
Railway Rates and Charges (Weston Clevedon and Portishead Light Railways) Order Confirmation. c. xcii.
Ravenglass and Eskdale Railway. See Eskdale Railway.
Remission of Surcharges (Dublin). c. cxxviii.
Rio Tinto Company Limited (Delivery Warrants). c. xxi
Risca Urban District Council. c. cxxxiii.
Robert Gordon's Technical College and Aberdeen Endowments Trust Order Confirmation. c. clxiv.

St. Andrews Water Order Confirmation. c. cx.
Sea Fisheries (Tees) Provisional Order Confirmation. c. cxxvii
Shrewsbury Corporation. c. cxxxv.
South Eastern and London Chatham and Dover Railways. c. lxxx
South Lincolnshire Water. c. xv.
South Staffordshire Waterworks. c. xlix.
South Western Railway. c. xxxi.
South Western and Isle of Wight Junction Railway. c. lxix
Southend-on-Sea Corporation c. liv.
Southport and Lytham Tramroad (Abandonment). c. xl.
Stock Conversion and Investment Trust Limited (North-Eastern Railway Consols). c. xx.
Stourbridge and District Water Board. c. xci.
Swinton and Mexborough Gas Board. c. lxvi.

Taff Vale Railway. c. cxxxix.
Thames Tunnel (North and South Woolwich). c. lxviii.

Torquay and Paignton Tramways. c. cxxxiv.
Torrens' Divorce.
Tramways Orders Confirmation. c. cxliii.

United Kingdom Temperance and General Provident Institution. c. x.
University of Bristol. c. xlii.

Wakefield Corporation. c. xliii.
Wallasey Tramways and Improvements. c. xli.
Wandsworth Borough Council (Superannuation). c. ix
Watford Urban District Council. c. lxxxviii.
Wells Gas. c. xiv.
West Gloucestershire Water. c. lxii.
West Kent Electric Power. c. lxxviii.
Westminster City Council (Superannuation and Pensions). c. lix.
Whittington Charity Scheme Confirmation. c. cxlviii.
Wirral Railway (Extension of Time). c. v.
Worksop Waterworks. c. xxvi.
Wortley Congregational Chapel Scheme Confirmation. c. cliii.

York Town and Blackwater Gas (Electric Lighting &c.). c. xxxiii.

Zetland Masonic Sick and Widows and Orphans Fund Order Confirmation. c. i.

TABLE III.

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 9 EDW. 7.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 Edw. 7.
7 Geo. 4. c. 82 -	Board of Trade (President) -	Repealed (*but see Terms*) -	23, s. 1.
3 & 4 Will. 4. c. 85.	Government of India - -	Ss. 62, 63 amended - -	4, s. 4.
5 & 6 Vict. c. 106	Fisheries (I. - - - -	S. 33 am.; s. 34 rep. -	25, ss. 1, 3, Sch.
8 & 9 Vict. c. 18	Lands Clauses Consolidation -	S. 133 restricted - -	44, s. 34.
11 & 12 Vict. c. 92	Fisheries (I.) - - - -	S. 39 repealed - - -	25, s. 3, Sch.
19 & 20 Vict.:			
c. 2	Metropolitan Police - -	S. 2 amended - - -	40, s. 3.
c. 99	Lunatic Asylums Superannuation (I.).	Repealed (*but see Terms*) -	48, s. 20, Sch.
22 Vict. c. 26 -	Superannuation - - -	Am.: ss. 2, 7 am. (except in certain cases).	10, ss. 1, 6.
24 & 25 Vict. c. 67	Indian Councils - - -	Am.; ss. 10, 11, 15, 29, 30, 34, 45, rep. in part.	4, ss. 1–8, Sch. II.
28 & 29 Vict. c. 14	Colonial Naval Defence - -	Ss. 4, 7, am. in certain cases	19, ss. 1, 2, Sch.
29 & 30 Vict. c. 109.	Naval Discipline - - -	Ss. 23, 47, 48, 52, 53, 56 (2) (4), 58 (8), 62, 63, 66, 70, 72–76, 78–83, am.	41, s. 1, Sch.
30 & 31 Vict. c. 118.	Lunacy (I.) - - - -	S. 8 rep. (*but see Terms*) -	48, s. 20, Sch.
33 & 34 Vict. c. 61	Life Assurance Companies -	Repealed (*but see Terms*) -	49, s. 37, Sch. IX.
34 & 35 Vict. c. 58	Life Assurance Companies -	Repealed (*but see Terms*) -	49, s. 37, Sch. IX.
35 & 36 Vict. c. 41	Life Assurance Companies -	Repealed (*but see Terms*) -	49, s. 37, Sch. IX.
38 & 39 Vict.:			
c. 17	Explosives - - - -	S. 26 (so far as it relates to fees for licences for importation of explosives), Sch. III. rep. in part.	43, ss. 11, 12, Sch.
c. 28	Metropolitan Police (Superannuation).	Ss. 1, 2 amended; s. 1 rep. in part.	40, s. 4 (1), (2).
c. 55	Public Health - - - -	S. 90 extended - - -	44, s. 16 (1).
39 & 40 Vict.:			
c. 22	Trade Union Act Amendment -	S. 7. rep. (*but see Terms*) -	49, s. 37, Sch. IX.
c. 36	Customs Consolidation - -	S. 42 amended - -	8, s. 1.
		S. 41 repealed - - -	43, ss. 4, 12, Sch.

* Acts continued annually by the Expiring Laws Continuance Act are not noticed in this Table.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 9 Edw. 7.
40 & 41 Vict. c. 2	Treasury Bills	S. 6 restricted	2, s. 3 (2). 5, s. 2 (2).
43 & 44 Vict. c. 24	Spirits	S. 105 (3) rep. in part	43, ss. 3, 12, Sch.
44 & 45 Vict.: c. 58	Army	Ss. 42, 57 (2 *a*), 59 (4) (5), 64 (2)-(4), 67 (4 *a*), 73 (3), 75, 77-80, 82, 84, 86-88, 91-94, 100, 101, 103, 106, 111, 113, 115, 118, 119 (1) (2), 122 (6), 137 (1) (4), 138 (8), 139, 140 (1), 142, 145 (2), 154 (5) (7) (8), 156 (1), 161, 162 (4), 163 (1 *b c e*), 167, 172 (1), 173, 175-178, 179 (6) (7) (12), 183 (2) and *proviso* (*b*), 190 (8) (27) am.; s. 13 (1 *b*) rep. in part.	3, ss. 4-11, Sch. II. (Pt. II.).
c. 68	Supreme Court of Judicature	S. 19 amended	11, s. 1.
45 & 46 Vict. c. 56	Electric Lighting	S. 4 restricted; s. 9 am., s. 11 rep. in part.	34, ss. 9, 12, 14.
51 & 52 Vict.: c. 41	Local Government	S. 69 (8), (9), repealed S. 17 rep. in part	38, s. 1. 44, s. 75, Sch. VI.
c. 49	Purchase of Land (I.) Amendment.	S. 2 rep. (*but see Terms*)	42, ss. 15 (3), 70, Sch. II.
53 Vict. c. 5	Lunacy	Ss. 280-282 rep. (*but see Terms*).	48, s. 20, Sch.
53 & 54 Vict.: c. 31	Pauper Lunatic Asylums (I.) Superannuation.	Repealed (*but see Terms*)	48, s. 20, Sch.
c. 45	Police	Sch. I. (Part II.) amended	40, s. 5 (1).
c. 67	Police (S.)	Sch. I. (Part II.) amended	40, s. 5 (2).
c. 70	Housing of the Working Classes	Am.; ss. 4, 6, 23, 24 (2), 29, 34, 35, 38, 39 (8), 40, 53, 60, 74 (1 *b*), 85, 88, 89 am.; s. 37 (1) ext.; ss. 21 (2), 41 (3) explained; ss. 8 (6), 9, 12 (5), 15(2), 17-19, 27, 28, 32, 33, 39 (5) (6), 53 (2), 54, 55 (as to S.), 63, 67, 83, 94 (4), 96 (1) (2) (7) (8) (14), Sch. I. (as to S.), Schs. III.-V. rep.; ss. 6 (1), 25, 29, 39 (4) (8) (9), 47 (3), 65, 66, 85, 92, 94 (3), 97 (3) rep. in part.	44, ss. 1, 4 (1), 7 (1), 20-23, 25, 28-30, 32, 46, 48, 49, 75, Schs. II., VI.
54 & 55 Vict.: c. 29	Stamp	Ss. 34, 38 extended; s. 59 (1) rep. in part; s. 77 (2) am.	43, ss. 7, 8, 10, 12, Sch.
c. 48	Purchase of Land (I.)	S. 34 (3) rep. (*but see Terms*).	42, ss. 44 (5), 70, Sch. II.
c. 76	Public Health (London)	S. 94 extended	44, s. 16 (1).
55 & 56 Vict. c. 14	Indian Councils	Am.; ss. 1, 2 rep.; s. 4 rep. in part.	4, ss. 1-8, Sch. II
56 & 57 Vict.: c. 35	Congested Districts Board (I.)	S. 2 (2) (3) repealed	42, ss. 44 (5), 70, Sch. II.
c. 69	Savings Bank	Sch. I. amended	42, s. 2 (3).

Statute and Chapter.	Subject-matter or Short Title	How affected.	Chapter of 9 Edw. 7.
57 & 58 Vict. c. 16	Supreme Court of Judicature (Procedure).	S. 4 repealed	11, s. 1 (2).
58 & 59 Vict. c. 29	Fisheries Close Season (I.)	Repealed	25, s. 3, Sch.
59 & 60 Vict. :			
c. 31	Housing of the Working Classes Act, 1890, Amendment (S.).	S. 3 repealed	44, s. 75, Sch. VI.
c. 47	Land Law (I.)	S. 35 amended	42, s. 24.
60 & 61 Vict. c. 26	Metropolitan Police Courts	S. 5 (2) explained	40, s. 4 (3).
62 & 63 Vict. c. 19	Electric Lighting (Clauses)	S. 32 (2), 49, 50, 51, 53 am. prosp.	34, ss. 10, 11, Sch. II.
63 & 64 Vict. :			
c. 31	Isle of Man (Customs)	Ss. 1, 2 (*par.* 2) continued	45, s. 1.
c. 33	Wild Animals in Captivity Protection.	Extended to S with mods.; s. 5. rep.	33, s. 1.
c. 59	Housing of the Working Classes	Ss. 2, 6, 7 rep.; s. 8 rep. in part.	44, s. 75, Sch. VI
2 Edw. 7. c. 42	Education	S. 17 extended	29, s. 1.
3 Edw. 7. :			
c. 37	Irish Land	Am.; ss. 6, 15 (6), 18, 19, 27, 36, 45, 48, 54, 69, 72 am.; s. 67 (3) restricted; ss. 1 (4), 2, 75 rep (*but see Terms*); ss. 43 (3), 44, 48 (3), 51 (1)–(3) rep.; ss. 6 (4), 47 (1) rep. in part.	42, ss. 1-3, 6, 7, 15 (3), 20, 29, 31-33, 35, 42, 54-56, 70, Sch. II.
c. 39	Housing of the Working Classes	Ss. 5 (2 *a b*), 6, 8, 16 rep.; Sch. am. as to S.; ss. 10, 17 rep in part.	44, ss. 24 (1), 53, 75, Schs. III., VI.
6 Edw. 7. :			
c. 18	Isle of Man (Customs)	S. 1 continued	45, s. 1.
c. 37	Labourers (I.)	Ss. 16, 17, 23 am.	42, ss. 10, 11.
7 Edw. 7. :			
c. 38	Irish Land	S. 1 amended	42, s. 37.
c. 16	Employers' Liability Insurance Companies.	Rep. (*but see Terms*)	49, s. 37, Sch. IX.
8 Edw. 7. c. 69	Companies (Consolidation)	S. 26 (3) restricted	19, s. 7 (4).

TABLE IV.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(9 EDW. 7. 1909)

ARRANGED IN CLASSES.

CLASS I.—BRIDGES, FERRIES, ROADS, SUBWAYS AND TUNNELS.
- (1) Bridges.
- (2) Ferries.
- (3) Roads.
- (4) Subways and Tunnels.

" II.—RAILWAYS, TRAMROADS AND TRAMWAYS.
- (1) Railways.
- (2) Tramroads and Tramways.
- (3) Light Railways.

" III.—CANALS, RIVERS AND NAVIGATIONS.

" IV.—HARBOURS, DOCKS, PORTS, PIERS AND QUAYS.

" V.—LOCAL GOVERNMENT (INCLUDING JUDICIAL MATTERS, POOR LAW AND PUBLIC HEALTH).

" VI.—LIGHTING, POWER AND HEATING.
- (1) Gas.
- (2) Electricity.

" VII.—WATER SUPPLY.

" VIII.—DRAINAGES AND DRAINAGE EMBANKMENTS.

" IX.—INCLOSURES, OPEN SPACES, &c.
- (1) Inclosures and Allotments.
- (2) Open Spaces, Commons and Parks.

" X.—FISHERIES.

" XI.—CHARITABLE AND EDUCATIONAL, &c., FOUNDATIONS AND INSTITUTIONS.

CLASS XII.—ECCLESIASTICAL AFFAIRS (INCLUDING TITHES AND MARRIAGE, CONFIRMATION).

„ XIII.—PERSONAL AND PRIVATE (INCLUDING ESTATES).

(1) Annuities and Grants of Money.
(2) Divorce.
(3) Estates.
(4) Names, Change of.
(5) Naturalization.
(6) Patents.
(7) Restoration of Dignities.
(8) Miscellaneous.

„ XIV.—TRADING AND OTHER COMPANIES.

(1) Banking and Investment.
(2) Cemetery.
(3) Insurance.
(4) Land and Building.
(5) Miscellaneous.

„ XV.—CROWN.

„ XVI.—PROVISIONAL ORDERS CONFIRMATION.

NOTE.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.

(1) *Bridges:*

London County Council (General Powers) (*Extension of time for reconstruction of Catford Bridge*). c. cxxx.
Shrewsbury Corporation (*Power to construct footbridge over River Severn, &c.*). c. cxxxv.
South-Eastern and London Chatham and Dover Railways (*Strengthening of and additional tolls for Swale Road bridge*). c. lxxx.

(2) *Ferries: Nil.*

(3) *Roads: Nil.*

(4) *Subways and Tunnels:*

Central London Railway (*Power to construct subways*). c. lxxi.
Harrogate Gas (*Construction of subways confirmed*). c. xlv.
London County Council (General Powers) (*Power to Southwark Borough Council to make subways. Extending power to make byelaws under Thames Tunnel (Rotherhithe and Ratcliff) Act*, 1900). c. cxxx.
Thames Tunnel (North and South Woolwich) (*Power to London County Council to construct*). c. lxviii.

Class II.—Railways, Tramroads and Tramways.

(1) *Railways:*

Alexandra (Newport and South Wales) Docks and Railway (*Additional Capital. Consolidation and cancellation of existing capital, &c.*). c. lx.

Ards (*Guarantee by Down County Council and power to appoint one director*). c. xix.

Barry (*New railways and abandonment of certain authorised railways. Powers to Company and Vale of Glamorgan Railway Company as to lands. Running powers, &c.*). c. lxxvii.

Central London (*New railway and subways. Additional lands and capital. Payment of interest out of capital, &c.*). c. lxxi.

ollooney Ballina and Belmullet Railways and Piers (*Guarantee by Sligo and Mayo County Councils and Ballina Urban District Council and power to appoint directors*). c. lxxxvi.

Cork Bandon and South Coast (*Transfer of undertaking of Ilen Valley Railway Company. As to consolidation of preference stocks*). c. xxxii.

Edgware and Hampstead. c. clx.

Eskdale (*Incorporation of Company and transfer of undertaking of Ravenglass and Eskdale Railway Company*). c. xlvi.

Great Central (Various Powers). c. lxxxv.

Great Western (General Powers). c. lxxxiv.

Great Western (Liskeard and Looe and Liskeard and Caradon Railways). c. xiii.

Great Western (Steam Vessels). c. xliv.

Harrogate Gas (*Construction of railway, &c., confirmed*). c. xlv.

Hull and Barnsley. c. lxxii.

Indian Railway Annuities (Sinking Fund). c. xxii.

Kilkenny Castlecomer and Athy (*Incorporation of Company*). c. clviii

Lancashire and Yorkshire and North Eastern (*Power to construct light railway. Extension of time, &c.*). c. xlviii.

London County Council (General Powers). (*Power to construct railway sidings to Horton Asylums*). c. cxxx.

London Chatham and Dover (*Additional capital*). c. iii.

London and North Western (*New footpaths. Additional lands. Sale of superfluous lands Power to provide road vehicles*). c. lii.

London and South Western. *See* South Western.

Midland (*Deviation railway at Lancaster. New footpaths. Additional lands. Extension of time*). c. xxiii.

Midland Great Western of Ireland (*New railway. Widening of bridges. Additional lands. Sale of superfluous lands.*). c. lxxvi.

Newry Keady and Tynan. c. cxl.

North Eastern. c. cxxxvi.

North East London (*Extension of time for subscription of half capital and commencement of works*). c. l.

Pontypridd Waterworks (Amendment) (*Power to construct temporary railways. Running powers, &c.*). c. lxv.

Class II.—Railways, Tramroads and Tramways—*continued.*

(1) *Railways*—continued.

South Eastern and London Chatham and Dover (*Extensions of time. Strengthening, &c., of Swale Road Bridge. Management of separate properties of two Companies. Joint general meetings, &c.*). c. lxxx.

South Western. c. xxxi.

South Western and Isle of Wight Junction (*New railway and pier. Additional lands and capital. Revival of powers and extension of time. Payment of interest out of capital, &c.*). c. lxix.

Stock Conversion and Investment Trust Limited (North Eastern Railway Consols) (*Power to vary, and North Eastern Company to become trustees, &c., under, trust deed, &c.*). c. xx.

Taff Vale (*Consolidation of preference stocks. Extensions of time. Additional capital*). c. cxxxix.

Wirral (Extension of time). c. v.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *and Railway and Canal Traffic Act*, 1888, *see* Class XVI. (11), (13).]

(2) *Tramroads and Tramways:*

Aldershot Gas Water and District Lighting (*Construction of tramroad*). c. lv.

Anglo-Argentine Tramways Company Limited (*Re-arrangement of capital*). c. iv.

Bury Corporation. c. clix., Part III.

Dudley Corporation (*Confirmation of agreement for lease of tramways, &c., to British Electric Traction Company, &c.*). c. xxviii.

Folkestone Sandgate and Hythe Tramways (*Extension of time, &c.*). c. lii.

Gateshead and District Tramways. c. lxx.

Glasgow Corporation (*Additional tramways, &c.*). c. cxxxvii.

Heywood Corporation (*Agreements for working, &c. Running powers. Stages, stopping places and waiting rooms, &c.*). c. cxxxi.

Holywood Tramways (*Extension of time*). c. lxxiv.

Liverpool Corporation (*Additional tramways, &c.*). c. xxxix.

London County Council (Tramways and Improvements). c. lxxv.

Manchester Corporation (*Additional tramways. Extension of time, &c.*). c. lvii.

Oldham Corporation (*Additional tramways. Waiting rooms. Agreements for running powers, &c.*). c. lxxxix.

Oxford and District Tramways (*Substitution of overhead and conduit traction for Dolter Surface Contact System. Extension of time, &c.*). c. lxiv.

Pontypridd Waterworks (Amendment) (*Abandonment of tramroad under Act of* 1908, *&c.*). c. lxv.

Preston Chorley and Horwich Tramways (*Extension of time. Reduction of capital. Power to divide shares, &c.*). c. xxxiv.

Class II.—Railways, Tramroads and Tramways—*continued.*

(2) *Tramroads and Tramways*—continued.

Southport and Lytham Tramroad (Abandonment). c. xl.
Torquay and Paignton Tramways (*Additional tramways and lands. Transfer to Company of power to construct certain tramways. Extension of time, &c.*). c. cxxxiv.
Wallasey Tramways and Improvements (*Additional Tramways, &c.*). c. xli.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *and Tramways Act*, 1870, *see* Class XVI. (11), (16).]

(3) *Light Railways:*

Dudley Corporation (*Confirmation of Agreement for lease of light railways, &c., to British Electric Traction Company, &c.*). c. xxviii.
Great Central Railway (Various Powers) (*Power to North Lindsey Light Railways Company to acquire additional lands*). c. lxxxv.
Lancashire and Yorkshire and North Eastern Railways (*Power to construct light railway. Extension of time, &c.*). c. xlviii.
Newry Keady and Tynan Railway. c. cxl.
South Western Railway (*Confirmation of agreement for working Lee-on-the-Solent (Light) Railway*). c. xxxi.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (11).]

Class III.—Canals, Rivers and Navigations.

Great Western Railway (General Powers) (*Power to Birmingham Canal Company to abandon portion of Soho Branch Canal*). c. lxxxiv.
Shrewsbury Corporation (*Power to construct weir across River Severn, &c.*). c. cxxxv., Parts II., VIII.

Class IV.—Harbours, Docks, Ports, Piers and Quays.

Alexandra (Newport and South Wales) Docks and Railway (*Additional capital. Consolidation and cancellation of existing capital. Extension of time, &c.*). c. lx.
Collooney Ballina and Belmullet Railways and Piers (*Guarantee by Sligo and Mayo County Councils and Ballina Urban District Council, and power to appoint directors*). c. lxxxvi.
East Sussex County Council (*Construction of sea defences between Brighton and Rottingdean*). c. xxxviii.
Great Central Railway (Various Powers) (*Further powers to Humber Commercial Railway and Dock Co.*). c. lxxxv.

Class IV.—Harbours, Docks, Ports, Piers and Quays—*continued.*

Great Western Railway (General Powers) (*Power to Weymouth Corporation to construct embankment, &c.*). c. lxxxiv.
Hastings Harbour (*Revival of powers and extension of time*). c. ii.
London County Council (General Powers) (*Extension of time for construction of Thames Embankment at Westminster*). c. cxxx.
North Eastern Railway (*Power to construct jetty at Salt End, &c.*). c. cxxxvi.
South Western Railway (*New graving dock at Southampton. Confirmation of Works, &c.*). c. xxxi.
South Western and Isle of Wight Junction Railway (*Power to construct pier, &c.*). c. lxix.

[*For Acts confirming Provisional Orders under General Pier and Harbour Act*, 1861, *and Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (5), (11).]

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health).

Bury Corporation. c. clix.
Cardiff Corporation. c. clxi.
City of London (Street Traffic). c. lxvii.
Conway Gas (*Power to Corporation to supply outside district. Additional borrowing power, &c.*). c. xi.
Derwent Valley Water (*Deviation aqueduct. Extension of time. Repayments, &c., of borrowed moneys, &c.*). c. lxiii.
Dublin. *See* Remission of Surcharges (Dublin).
Dudley Corporation (*Confirmation of agreement for lease of tramways, &c., to British Electric Traction Company, &c.*). c. xxviii.
Dunoon Burgh (*Admission to Castle Gardens during concerts, &c. Provisions as to seashore*). c. cxxxviii.
East Sussex County Council (*Construction of sea defences between Brighton and Rottingdean. Provisions as to contributions by local authorities and Abergavenny Trustees, &c.*). c. xxxviii.
Glasgow Corporation. c. cxxxvii.
Great Central Railway (Various Powers) (*Power to Lincoln Corporation to make street improvement, &c.*). c. lxxxv.
Great Western Railway (General Powers) (*Power to Weymouth Corporation to construct embankment and borrow money*). c. lxxxiv.
Great Yarmouth (Burgh Castle Drainage). c. liii.
Greenock Corporation. c. cxxix.
Heywood Corporation. c. cxxxi.
Lisburn Urban District Council. c. lviii.
Liverpool Corporation (*New streets and widening. Tramways. Finance*). c. xxxix.
Llanelly Waterworks (*Extension of limits. Additional Works, &c.*). c. lxxxii.

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health)—*continued.*

London County Council (General Powers). c. cxxx.
London County Council (Money). c. lxxxi.
London County Council (Tramways and Improvements). c. lxxv.
Malvern Hills (*As to appointment of Conservators and Contributions by local Authorities, &c.*). c. xxxvii.
Manchester Corporation. c. lvii.
Mountain Ash Urban District Council. c. xc.
Northallerton Waterworks (*Additional works. Plumbism, &c.*). c. lxxxiii.
Oldham Corporation. c. lxxxix.
Prestatyn Urban District Council. c. cxxxii.
Remission of Surcharges (Dublin). c. cxxviii.
Risca Urban District Council. c. cxxxiii.
Shrewsbury Corporation. c. cxxxv.
Southend-on-Sea Corporation (*Increase of Council and alteration of Wards. Sewerage. Finance*). c. liv.
Stourbridge and District Water Board (*Incorporation. Transfer of undertaking of Company. Construction of additional and confirmation of existing works. Supply*). c. xci.
Swinton and Mexborough Gas Board (*Incorporation. Transfer of undertaking of Company. Supply. Finance, &c.*). c. lxvi.
Thames Tunnel (North and South Woolwich) (*Power to London County Council to construct, &c.*). c. lxviii.
Wakefield Corporation (*Water. Electricity. Finance, &c.*). c. xliii.
Wallasey Tramways and Improvements (*Tramways. Street improvements and lands. Finance, &c.*). c. xli.
Wandsworth Borough Council (Superannuation). c. ix.
Watford Urban District Council. c. lxxxviii.
Westminster City Council (Superannuation and Pension). c. lix.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class, see* Class XVI.]

Class VI.—Lighting, Power and Heating.

(1) *Gas:*

Aldershot Gas Water and District Lighting. c. lv.
Alliance and Dublin (*Additional works. Lands. Capital, &c.*). c. lxi.
Ammanford (*Incorporation of Company*). c. lvi.
Blackwood (*Dissolution and re-incorporation*). c. lxxiii.
Bury Corporation. c. clix., Part II.
Conway (*Power to supply outside district. Additional borrowing power, &c.*). c. xi.
Eastbourne (*Extension of limits. Transfer of undertaking of Hailsham Gas Company. Consolidation of capital, &c.*). c. xxvii.
Gas Light and Coke Company's (*Transfer of undertaking of West Ham Gas Company. Reduction of standard price. Illuminating and calorific power, &c.*). c. lxxxvii.

Class VI.—Lighting, Power and Heating—*continued.*

(1) *Gas*—continued.

Greenock Corporation. c. cxxix., Part XVI.
Harrogate. c. xlv.
Heckmondwike and Liversedge. c. vi.
Heywood Corporation. c. cxxxi., Part V.
Leyland (*Extension of limits. Confirmation of works. Additional lands and capital. Quality, &c.*). c. vii.
Lisburn Urban District Council (*Transfer of undertaking of company, &c.*). c. lviii.
Littlehampton (*Dissolution and re-incorporation*). c. viii.
Mountain Ash Urban District Council. c. xc., Part II.
Oldham Corporation. c. lxxxix., Part VII.
Pontypool Gas and Water. c. xxx.
Prestatyn Urban District Council (*Transfer to council of gas undertaking. Supply, &c.*). c. cxxxii.
Risca Urban District Council (*Transfer of undertaking of Western Valleys (Mon.) Water and Gas Company. Additional lands. Supply, &c.*). c. cxxxiii.
Swinton and Mexborough (*Incorporation of gas board and transfer of undertaking of Company. Supply. Finance, &c.*). c. lxvi.
Wells (*Conversion of preference and ordinary shares. Additional capital and lands. Quality, &c. Power to apply for Electric Lighting Order*). c. xiv.
York Town and Blackwater Gas (Electric Lighting, &c.) (*Extension of limits. Cesser of power of supply of Aldershot Gas and Water Company, &c.*). c. xxxiii.

[*For Acts confirming Provisional Orders relating to Gas Undertakings, see* Class XVI. (4), (7 (*a*)), (11).]

(2) *Electricity:*

Aldershot Gas Water and District Lighting (*Power to supply electricity*). c. lv.
Bury Corporation. c. clix., Part IV.
Cardiff Corporation (*Supply of electricity in bulk, &c.*). c. clxi.
County of Durham Electric Power Supply. c. xxxvi.
Greenock Corporation. c. cxxix., Part XVII.
Heywood Corporation. c. xxxi., Part VI.
Mountain Ash Urban District Council. c. xc., Part IV.
North Metropolitan Electric Power Supply (*Extension of special district. As to supply to authorised users. Additional capital powers, &c.*). c. xii.
Oldham Corporation. c. lxxxix., Part VI.
Shrewsbury Corporation. c. cxxxv., Part IV.
Wakefield Corporation. c. xliii., Part III.
Watford Urban District Council. c. lxxxviii., Part III.
West Kent Electric Power (*Transfer of certain powers of Kent Electric Power Company, &c.*). c. lxxiii.
York Town and Blackwater Gas (Electric Lighting, &c.). c. xxxiii.

[*For Acts confirming Provisional Orders relating to Electric Lighting Undertakings, see* Class XVI. (3), (11).]

Class VII.—Water Supply.

Aldershot Gas Water and District Lighting (*Additional works and capital. Consolidation of capital, &c.*). c. lv.

Bungay (*Incorporation of Company*). c. xxxv.

Cardiff Corporation (*Additional works, &c.*). c. clxi.

Clevedon (*Dissolution and re-incorporation*). c. xxv.

Derwent Valley (*Deviation aqueduct. Extension of time. Repayment, &c., of borrowed moneys, &c.*). c. lxiii.

Donington (*Incorporation of Company*). c. xxix.

Frimley and Farnborough District (*Extension of limits. Confirmation of works. Additional works, lands and capital, &c.*). c. xlvii.

Grantham (*Additional works, &c. Confirmation of reservoir. Conversion of shares. Refund to revenue and formation of reserve fund*). c. xxiv.

Greenock Corporation. c. cxxix., Part XV.

Lisburn Urban District Council (*Extension of limits, &c.*). c. lviii.

Llanelly (*Extension of limits. Additional works, &c.*). c. lxxxii.

Mountain Ash Urban District Council (*Pipes in streets not dedicated to public use. Byelaws as to waste, &c.*). c. xc.

Northallerton (*Additional works. Plumbism, &c.*). c. lxxxiii.

Oldham Corporation (*Additional works. Price by measure, &c.*). c. lxxxix.

Pontypool Gas and Water. c. xxx.

Pontypridd (*Additional works and lands. Abandonment of Lan Wood Reservoir and connecting pipes, and tramroad, &c.*). c. lxv.

Prestatyn Urban District Council (*Alteration of gauge, &c.*). c. cxxxii.

Risca Urban District Council (*Transfer of undertaking of Western Valleys (Mon.) Water and Gas Company. Confirmation of existing works. Additional lands. Supply, &c.*). c. cxxxiii.

South Lincolnshire (*Extension of limits. New works and additional lands. Supply to Spalding Council. Transfer of undertaking of South Lincolnshire Fen Water Company, &c.*). c. xv.

South Staffordshire. c. xlix.

Stourbridge and District (*Incorporation of Board. Transfer of undertaking of Company. Construction of additional and confirmation of existing works. Supply*). c. xci.

Wakefield Corporation. c. xliii., Part II.

Watford Urban District Council (*Additional works. Supply. Charges, &c.*). c. lxxxviii.

West Gloucestershire (*Extension of limits. Additional lands, capital, &c.*). c. lxii.

Worksop (*Confirmation of existing works. Additional capital. Supply to Company by Wigan Coal and Iron Company*). c. xxvi.

[*For Acts confirming Provisional Orders relating to Water Undertakings, see* Class XVI. (4), (8 (*b*)), (9), (11).]

Class VIII.—Drainages and Drainage Embankments.

Great Yarmouth (Burgh Castle Drainage). c. liii.
Methwold and Feltwell Drainage (*Dissolution of old, and incorporation of new, drainage board. Borrowing powers. &c.*). c. lxxix.

[*For Acts confirming Provisional Orders relating to Drainage of Lands, see* Class XVI. (6), 8 (*a*).]

Class IX.—Inclosures, Open Spaces, &c.

(1) *Inclosures and Allotments:*

Malvern Hills (*As to appointment of Conservators and contributions by local authorities. Power to borrow, &c.*). c. xxxvii.

(2) *Open Spaces, Commons and Parks:*

Bury Corporation. c. clix., Part VI.
Dunoon Burgh (*Admission to Castle Gardens during Concerts, &c.*). c. cxxxviii.
Glasgow Corporation (*Additional borrowing power*). c. cxxxvii.
Greenock Corporation. c. cxxix., Part VII.
Shrewsbury Corporation (*Land for recreation ground, &c.*). c. cxxxv.

[*For Act confirming Provisional Order under Metropolitan Commons Acts*, 1866–1898, *see* Class XVI. (10).]

Class X.—Fisheries.

[*For Acts confirming Provisional Orders under Salmon and Freshwater Fisheries Act*, 1907, *and Sea Fisheries Acts*, 1843–1893, *see* Class XVI. (14), (15).]

Class XI.—Charitable and Educational, &c. Foundations and Institutions.

University of Bristol (*Dissolution of University College and transfer of property, &c., to University, &c.*). c. xlii.

[*For Acts confirming Provisional Orders under Charitable Trusts Acts, &c., Education Acts*, 1870–1907, *and Private Legislation Procedure* (*Scotland*) *Act*, 1899, *see* Class XVI. (1). (2), (11).]

Class XII.—Ecclesiastical Affairs (including Tithes and Marriage Confirmation).

[*For Acts confirming Provisional Orders under Provisional Order (Marriages) Act*, 1905, *see* Class XVI. (12).]

Class XIII.—Personal and Private (including Estates).

(1) *Annuities and Grants of Money: Nil.*

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(7) *Restoration of Dignities: Nil.*

(8) *Miscellaneous: Nil.*

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(3) *Under Electric Lighting Acts:*

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(4) *Under Gas and Water Works Facilities Act*, 1870:

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(6) *Under Land Drainage Act*, 1861:

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(7) *Under Local Government Acts:*

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(*b*) *Local Government Act*, 1888:

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PUBLIC GENERAL STATUTES,

9 EDWARD 7.—A.D. 1909.

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E.	*that the Act relates to*		England (and Wales, if it so extend).
S.	,,	,,	Scotland exclusively.
I.	,,	,,	Ireland exclusively.
U.K.	,,	,,	Great Britain and Ireland (and Colonies, if it so extend).
Ind.	,,	,,	India specially.
C.	,,	,,	The Colonies specially, or any of them.

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